

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, June 18, 2024**
1070 Faraday Street, Santa Ynez, CA - Conference Room

Notice Regarding Public Participation: For those who may not attend the meeting 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 "**June 18, 2024 Board Meeting**" in the subject line. Materials received by the District during and prior to the meeting will become part of the post-meeting Board packet materials available to the public and posted on the District's website.

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. **ADDITIONS OR CORRECTIONS, IF ANY, TO THE AGENDA**
5. **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.
6. **CONSIDERATION OF THE MINUTES OF THE REGULAR MEETING OF MAY 21, 2024**
7. **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
8. **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
 - c) CalPERS Overview – Bartlett Pringle & Wolf
 2. Appropriation Limit for the 2024/2025 Fiscal Year - Article XIII B (Proposition 13)
 - a) Resolution No. 844: A Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 Establishing the Appropriation Limit for Fiscal Year 2024/2025 Pursuant to Article XIII B of the California Constitution
 3. Consider Adoption of the Final Budget for Fiscal Year 2024/2025
 - a) Final Budget Summary
 - b) Resolution No. 845: A Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 Adopting the Final Budget for Fiscal Year 2024/2025 and Requesting an Assessment Levy Required to Collect \$875,000

4. Conflict of Interest Code
 - a) Resolution No. 846 - A Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 Approving an Update to its Conflict of Interest Code
5. 2023 Consumer Confidence Report – Annual Water Quality Report Required by Federal and State Regulations to Protect Drinking Water

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

A. SUSTAINABLE GROUNDWATER MANAGEMENT ACT

1. Eastern Management Area (EMA) Update
 - a) Consider Approval of the Joint Exercise of Powers Agreement for the Santa Ynez River Valley Basin Eastern Management Area Groundwater Sustainability Agency
 - b) Resolution No. 847 – A Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 Appointing District Trustees to Serve as Director and Alternate Director to the Santa Ynez River Valley Basin Eastern Management Area Groundwater Sustainability Agency
 - c) Other SGMA Updates

10. 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

11. CORRESPONDENCE: GENERAL MANAGER RECOMMENDS FILING OF VARIOUS ITEMS

12. REQUESTS FOR ITEMS TO BE INCLUDED ON THE NEXT REGULAR MEETING AGENDA: Any member of the Board of Trustees may request to place an item on the 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.

13. NEXT MEETING OF THE BOARD OF TRUSTEES: The next Regular Meeting of the Board of Trustees is scheduled for **July 16, 2024 at 3:00 p.m.**

14. CLOSED SESSION:

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 – 3 Cases]

1. Name of Case: Adjudicatory proceedings pending before the State Water Resources Control Board regarding Permits 11308 and 11310 issued on Applications 11331 and 11332 to the United States Bureau of Reclamation for the Cachuma Project
2. 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
3. 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

B. CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION

[Subdivision (d)(2) of Section 54956.9 of the Government Code – Significant Exposure to Litigation Against the Agency – One Matter]

C. CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION

[Subdivision (d)(4) of Section 54956.9 of the Government Code – Potential Initiation of Litigation By the Agency – One Matter]

15. RECONVENE INTO OPEN SESSION

[Sections 54957.1 and 54957.7 of the Government Code]

16. 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
MAY 21, 2024 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, May 21, 2024, in-person at 1070 Faraday Street and via teleconference/video.

Trustees Present: Michael Burchardi (via teleconference)
Jeff Clay (via teleconference)
Brad Joos
Mark Moniot
Nick Urton

Trustees Absent: None

Others Present:	Paeter Garcia	Mary Robel	Racel Cota
	Karen King	Dan Drugan	Gary Kvistad

1. CALL TO ORDER AND ROLL CALL:

Trustee Joos called the meeting to order at 3:00 p.m. and stated this was a Regular Meeting of the Board of Trustees. Ms. Robel conducted roll call and reported that three Trustees were physically present at roll call, with Trustee Clay attending remotely in accordance with the Notice and Agenda. Trustee Burchardi joined the meeting via teleconference in accordance with the Notice and Agenda at 3:10 p.m.

2. PLEDGE OF ALLEGIANCE:

Trustee Joos 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. Robel reported that the Agenda for this meeting was posted in accordance with the California Government Code commencing at Section 54953, as well as District Resolution No. 340.

4. ADDITIONS OR CORRECTIONS, IF ANY, TO THE AGENDA:

There were no additions or corrections to the Agenda.

5. PUBLIC COMMENT:

Trustee Joos welcomed any members of the public 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.

6. CONSIDERATION OF THE MINUTES OF THE REGULAR MEETING OF APRIL 16, 2024:

The Regular Meeting Minutes from April 16, 2024 were presented for consideration.

Trustee Joos asked if there were any changes or additions to the Regular Meeting Minutes of April 16, 2024. There were no changes or additions requested.

It was **MOVED** by Trustee Moniot, seconded by Trustee Urton, and carried by a unanimous 4-0-0 roll call vote, with Trustee Burchardi absent, to approve the April 16, 2024 Regular meeting minutes as presented.

1 7. CONSENT AGENDA:

2 The Consent Agenda Report was provided in the Board Packet.

3
4 Mr. Garcia reviewed the Consent Agenda materials for the month of April.

5 It was MOVED by Trustee Moniot, seconded by Trustee Urton, and carried by a 5-0-0 roll call vote,
6 to approve the Consent Agenda.

7
8 8. MANAGER REPORTS - STATUS, DISCUSSION, AND POSSIBLE BOARD ACTION ON THE FOLLOWING
9 SUBJECTS:

10 A. DISTRICT ADMINISTRATION

11 1. Financial Report on Administrative Matters

12 a) Presentation of Monthly Financial Statements – Revenues and Expenses

13 Ms. Robel announced that the Financial Statements were provided to the Board via
14 email earlier in the day, and also included in the meeting handout materials and
15 posted on the District’s website.

16
17
18 Ms. Robel reviewed the Statement of Revenues and Expenses for the month of April.
19 She highlighted various line-items related to revenue and expense transactions that
20 occurred during the month and referred to the Fiscal-Year-to-Date Statement of
21 Revenues and Expenses that provides a budget to actual snapshot for the month of
22 April. Ms. Robel reported that the District revenues for the month of April exceeded
23 the expenses by \$618,602.76 and the year-to-date net income was \$2,033,440.80.

24
25 b) Approval of Accounts Payable

26 Ms. Robel announced that the Warrant List was provided to the Board via email earlier
27 in the day and included in the meeting handout materials and posted on the District’s
28 website.

29
30 The Board reviewed the Warrant List which covered warrants 25850 through 25914 in
31 the amount of \$3,546,071.24.

32
33 It was MOVED by Trustee Moniot, seconded by Trustee Burchardi, and carried by a 5-
34 0-0 roll call vote, to approve the Warrant List for April 17, 2024 through May 21, 2024.

35
36 2. Board of Trustees Designations

37 a) Selection of Officers of the Board – Secretary and Treasurer

38 Mr. Garcia announced that the Board typically selects Officers of the Board in
39 December of each year; however, with the impending retirement of Ms. Mary Robel,
40 Treasurer and Secretary to the Board of Trustees, at the end of June, there is a need to
41 fill those roles effective July 1, 2024. He reported that Ms. Racel Cota, Administrative
42 & Financial Manager, was hired in April to assume Ms. Robel’s responsibilities at the
43 District. Mr. Garcia indicated that in order to allow for continuity with the District’s
44 Officer positions, staff recommends appointing Ms. Cota as the Treasurer and
45 Secretary to the Board of Trustees effective July 1, 2024.

46
47 It was MOVED by Trustee Urton, seconded by Trustee Moniot, and carried by a 5-0-0
48 roll call vote, to appoint Ms. Racel Cota, as Treasurer and Secretary to the Board of
49 Trustees, effective July 1, 2024.

- 1 3. Resolution No. 843 - A Resolution of the Board of Trustees of the Santa Ynez River Water
2 Conservation District, Improvement District No.1 Authorizing Signatures for Accounts at
3 Mechanics Bank

4 The Board packet included draft resolution No. 843.
5

6 Mr. Garcia stated that with the approaching retirement of Ms. Robel, the authorized
7 signatories on the District's bank accounts must be updated to remove Ms. Robel as a
8 signatory and add Ms. Racel Cota as District Treasurer and an authorized signatory to all
9 bank accounts held in the District's name effective July 1, 2024. Mr. Garcia reviewed the
10 contents of the Resolution and recommended approval of Resolution No. 843.
11

12 It was MOVED by Trustee Moniot, seconded by Trustee Urton, to adopt Resolution No.
13 843, a Resolution of the Board of Trustees of the Santa Ynez River Water Conservation
14 District, Improvement No.1 Authorizing Signatures for Accounts at Mechanics Bank.
15

16 The Motion carried and Resolution No. 843 was adopted by the following 5-0-0 roll call
17 vote:
18

19 AYES, Trustees: Mike Burchardi
20 Jeff Clay
21 Brad Joos
22 Mark Moniot
23 Nick Urton
24

25 NOES, Trustees: None
26 ABSTAIN, Trustees: None
27 ABSENT, Trustees: None
28

- 29 4. Fiscal Year 2024/2025 Preliminary Budget

30 The Board packet included a Staff Report and line-item details for the FY 2024/2025
31 Preliminary Budget.
32

33 Ms. Robel provided a PowerPoint presentation regarding the budget process, major
34 revenue and expense accounts, capital improvement projects, reserve funds, and related
35 budget categories. Ms. Robel reported that revenues are anticipated to be sufficient to
36 meet the District's Operations and Maintenance expenses, General and Administrative
37 expenses, Debt Service obligations, Other expenses, and the proposed Capital
38 Improvement Program projects forecasted for FY 2024/2025, with a net revenue balance
39 of \$2,166,061 to be added to District reserves to assist with upcoming expenditures related
40 to the newly adopted regulatory standards for Hexavalent Chromium (Cr6). Ms. Robel
41 stated that the FY 2024/2025 Preliminary Budget assumes that current water rates and
42 charges remain unchanged for the next fiscal year based on the rate schedule set forth in
43 the District's 2016 Rate Study. She reported that the Preliminary Budget also assumes no
44 increase in the \$875,000 Special Assessment/ Ad Valorem Tax, even though the authorized
45 limit for FY 2024/2025 is \$2,481,499.
46

47 Discussion ensued regarding anticipated revenues from water rates and charges,
48 anticipated expenses related to compliance with the new drinking water standard for Cr6,
49 proposed capital improvement projects, the appropriation limit for a special assessment,
50 and the status of District reserves.
51

52 Ms. Robel asked that the Board review the FY 2024/2025 Preliminary Budget and provide
53 any additional comments or questions to management by early June for possible

1 incorporation into the 2024/2025 Final Budget which will be presented at the June 18, 2024
2 Board meeting.
3

4 Mr. Garcia expressed his appreciation and compliments to District staff for their hard
5 work and collaboration in preparing the Preliminary Budget.
6

7 Trustee Joos asked if there was any public comment on the Preliminary Budget. There
8 was no public comment.
9

10 The Board thanked District staff for their hard work and collaboration in preparing the
11 FY 2024/2025 Preliminary Budget.
12

- 13 5. Setting the Appropriation Limit for the 2024/2025 Fiscal Year - Article XIII B (Proposition 13)
14 a) California Department of Finance Calculations for 2024/2025 Appropriation
15 Limitations and Authorization to Post Notice and Make Public the 2024/2025
16 Appropriation Limitation Calculation
17

18 The Board packet included the April 30, 2024 California Department of Finance letter
19 regarding the FY 2024/2025 Appropriation Limitation Calculation, Price Factor, and
20 Population Information.
21

22 Mr. Garcia explained that in connection with establishing an annual appropriation,
23 certain language must be read verbatim into the public record, as follows: *"Pursuant
24 to Section 7910 of the California Government Code, a resolution will be presented for adoption
25 by the Board of Trustees at its Regular meeting on June 18, 2024, which will set the limitations
26 on appropriations for fiscal year 2024/2025 under Article XIII B of the Constitution of the State
27 of California (Proposition 13), and that the documentation used in determining the
28 appropriation limitations will be available at the District office and on the District's website
29 for examination by the public for at least 15 days prior to the adoption of the proposed
30 resolution."*
31

32 Mr. Garcia explained the materials provided by the California Department of Finance
33 for calculating the FY 2024/2025 appropriation limitation, and how the calculations
34 are applied to the District's Special Assessment / Ad Valorem Tax limitation. He
35 illustrated that based on the applicable calculations; the District's FY 2024/2025
36 maximum special assessment amount is \$2,481,499. Mr. Garcia noted that although
37 the District is authorized to set the Special Assessment / Ad Valorem Tax up to the
38 maximum amount, the FY 2024/2025 Preliminary Budget proposes no increase this
39 year, similar to previous years, with the assessment to remain at \$875,000. The Board
40 reviewed the information presented and the related Public Notice. Discussion ensued
41 regarding the maximum amount the District could collect versus the proposed FY
42 2024/25 amount of \$875,000. The consensus of the Board was to keep the Special
43 Assessment / Ad Valorem Tax amount at \$875,000 for FY 2024/2025, but to evaluate
44 the possibility of increasing that amount in future fiscal years as part of the upcoming
45 water rate study.
46

47 Mr. Garcia requested Board authorization to post and publish the Public Notice setting
48 forth the appropriation limit and calculation factors. He reported that the Public
49 Notice and FY 2024/2025 appropriation limitation calculation would be posted at the
50 District Office, on the District website beginning May 22, 2024, and published in the
51 local newspaper on June 6, 2024 and June 13, 2024.

1 It was **MOVED** by Trustee Burchardi, seconded by Trustee Urton, and carried by a 5-
2 0-0 roll call vote, to authorize the Secretary to the Board to post and publish the Public
3 Notice establishing the Fiscal Year 2024/2025 appropriations limit.
4

- 5 b) Review of Draft Resolutions to be presented for adoption at the June 18, 2024
6 Board Meeting

7 The Board packet included two draft resolutions:

- 8
9 1. Draft Resolution: A Resolution of the Board of Trustees of the Santa Ynez River
10 Water Conservation District, Improvement District No.1 Establishing the
11 Appropriation Limit for Fiscal Year 2024/2025 Pursuant to Article XIII B of the
12 California Constitution
13
14 2. Draft Resolution: A Resolution of the Board of Trustees of the Santa Ynez River
15 Water Conservation District, Improvement District No.1 Adopting the Final
16 Budget for Fiscal Year 2024/2025 and Requesting an Assessment Levy Required
17 to Collect \$875,000
18

19 Mr. Garcia reported that each year the draft resolutions are presented a month in
20 advance of the adoption of the final budget in conjunction with the establishment
21 of an appropriations limit, and no action is required at this time. He stated that
22 the two resolutions would be presented for consideration at the June 18, 2024
23 Board meeting.
24

25 **9. REPORT, DISCUSSION, AND POSSIBLE BOARD ACTION ON THE FOLLOWING SUBJECTS:**
26

27 **A. SUSTAINABLE GROUNDWATER MANAGEMENT ACT**

- 28 1. Eastern Management Area (EMA) Update

29 The Board packet included a Notice and Agenda for the May 23, 2024 EMA GSA meeting.
30

31 Mr. Garcia reviewed the topics that will be discussed at the May 23rd EMA GSA meeting,
32 such as Spring 2024 groundwater level measurements, proposed allocation of DWR grant
33 funds among the three Management Areas in the Basin, and status of the Draft EMA Joint
34 Powers Agreement.
35

36 Mr. Garcia reviewed the activities that have taken place related to finalizing the language
37 of the Draft JPA. He stated that the parties appear to have reached consensus on the few
38 outstanding issues, including appointment of an agricultural representative on the EMA
39 JPA Board, initial cost sharing by the member public agencies, and hiring of consulting
40 staff for the new JPA. Mr. Garcia stated that he remains hopeful with the progress that
41 has been made and remains confident that a final JPA can be completed soon. Mr. Garcia
42 stated that once the negotiations on the draft JPA are complete, the JPA will be presented
43 for approval to each respective member agency of the EMA GSA, including the Santa
44 Barbara County Water Agency, the City of Solvang, the Conservation District, and ID
45 No.1.
46

47 **B. HEXAVALENT CHROMIUM (Cr6) – ADOPTED MAXIMUM CONTAMINANT LEVEL (MCL)**

- 48 1. Update on SWRCB Final Drinking Water MCL for Cr6 of 10 parts per billion.

49 The Board packet included SWRCB Resolution No. 2024-0015, and a CalMatters April 17,
50 2024 news article regarding the newly adopted Cr6 regulation.

1 Mr. Garcia referred to the materials included in the Board packet and reported that on
2 April 17, 2024 the State Water Resources Control Board held a public hearing to officially
3 adopt the new Maximum Contaminant Level (MCL) for Hexavalent Chromium 6 (Cr6) of
4 10 parts per billion and certify the state's Final Environmental Impact Report for the MCL.
5 He stated that the next step will be approval of the MCL by the Office of Administrative
6 Law, which is expected to be completed by October 1, 2024. Mr. Garcia briefly discussed
7 the timing, compliance period, studies, costs, potential legal challenges, and the need for
8 public outreach once the MCL becomes law.
9

10 **10. REPORTS BY THE BOARD MEMBERS OR STAFF, QUESTIONS OF STAFF, STATUS REPORTS,**
11 **ANNOUNCEMENTS, COMMITTEE REPORTS, AND OTHER MATTERS AND/OR COMMUNICATIONS**
12 **NOT REQUIRING BOARD ACTION:**
13

14 Trustee Moniot stated that he had attended the Los Olivos Community Services District (LOCSD)
15 meeting on May 15, 2024. He reported that the LOCSD is evaluating treatment options and
16 reconsidering an option to connect to the City of Solvang.
17

18 Mr. Garcia reported that he, Trustee Joos, Dan Drugan, Water Resources Manager, and Joe Come',
19 District Superintendent, helped host an ID No.1 informational booth at the May 18, 2024 "Santa
20 Ynez Airport Day" event, noting that Trustee Burchardi assisted in establishing the ID No.1
21 booth. He thanked the Board, Trustees, and District staff for another successful year of having
22 the District participate in this important community event.
23

24 The Board packet included various materials, including a May 16, 2024 California Department of
25 Water Resources news article titled "Analysis: Benefits of the Delta Conveyance Project Far
26 Exceed Costs," the May 2024 Family Farm Alliance Monthly Briefing, and an April 30, 2024
27 District letter to Congressman Salud Carbajal regarding support of funding for the City of
28 Solvang Wastewater Treatment Plant Project.
29

30 **11. CORRESPONDENCE: GENERAL MANAGER RECOMMENDS FILING OF VARIOUS ITEMS:**

31 The Correspondence List was received by the Board.
32

33 **12. REQUESTS FOR ITEMS TO BE INCLUDED ON THE NEXT REGULAR MEETING AGENDA:**

34 Trustee Joos requested an overview presentation on the CalPERS retirement program.
35

36 **13. NEXT MEETING OF THE BOARD OF TRUSTEES:**

37 Trustee Joos stated that the next Regular Meeting of the Board of Trustees is scheduled for June
38 18, 2024 at 3:00 p.m.
39

40 **14. CLOSED SESSION:**

41 The Board adjourned to closed session at 5:47 p.m.
42

43 **A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

44 [Subdivision (d)(1) of Section 54956.9 of the Government Code - 3 Cases]
45

- 46 1. Name of Case: Adjudicatory proceedings pending before the State Water Resources
47 Control Board regarding Permits 11308 and 11310 issued on Applications 11331 and
48 11332 to the United States Bureau of Reclamation for the Cachuma Project
49
- 50 2. Name of Case: Adjudicatory proceedings pending before the State Water Resources
51 Control Board regarding Permit 15878 issued on Application 22423 to the City of
52 Solvang, Petitions for Change, and Related Protests
53

1 3. Name of Case: Central Coast Water Authority, et al. v. Santa Barbara County Flood
2 Control and Water Conservation District, et al., Santa Barbara County Superior Court
3 Case No. 21CV02432
4

5 **B. CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION**

6 [Subdivision (d)(2) of Section 54956.9 of the Government Code - Significant Exposure to
7 Litigation Against the Agency - One Matter]
8

9 **C. CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION**

10 [Subdivision (d)(4) of Section 54956.9 of the Government Code - Potential Initiation of
11 Litigation By the Agency - One Matter]
12

13 **15. RECONVENE INTO OPEN SESSION:**

14 [Sections 54957.1 and 54957.7 of the Government Code]
15

16 The Board reconvened to open session at approximately 6:20 p.m. Mr. Garcia announced that
17 the Board met in closed session in accordance with Agenda Items presented on the Agenda. He
18 reported that there was no reportable action for any of the closed session Agenda Items.
19

20 **16. ADJOURNMENT:**

21 Being no further business, it was **MOVED** by Trustee Urton, seconded by Trustee Joos, and carried
22 by a 3-0-0 voice vote, with Trustees Clay and Burchardi absent, to adjourn the meeting at
23 approximately 6:21 p.m.
24

25 **RESPECTFULLY SUBMITTED,**

26
27
28
29 _____
30 Mary Robel, Secretary to the Board
31

32 **ATTEST:**

33 _____
34 Jeff Clay, President
35

36 **MINUTES PREPARED BY:**

37
38
39 _____
40 Karen King, Board Administrative Assistant

**BOARD OF TRUSTEES
SANTA YNEZ RIVER WATER CONSERVATION DISTRICT,
IMPROVEMENT DISTRICT NO.1
June 18, 2024**

Consent Agenda Report

CA-1. Water Supply and Production Report. Total water production in **May 2024 (289 AF)** was 154 AF higher than total production in **April 2024 (135 AF)**, 84 AF lower than the most recent 3-year running average (2021-2023) for the month of **May (373 AF)**, and 119 AF lower than the most recent 10-year running average (2014-2023) for the month of **May (408 AF)**. Overall production in May 2024 was the second lowest for the month of May over the last 10 years; the next lowest May production over the last ten years was 284 AF in 2019; the highest May production in the last ten years was 556 AF in 2014. This below-average production for May is mostly attributable to extraordinary rainfall early in the year, cool weather for most of the month, and low agricultural demands. As previously reported, 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 **May 2024**, approximately **56 AF** was produced from the Santa Ynez Upland wells, and **0 AF** was produced from the Santa Ynez River alluvium. As reflected in the Monthly Water Deliveries Report from the CCWA, the District took approximately **233 AF** of SWP supplies for the month. Direct diversions to the County Park and USBR were **1.85 AF**.

The USBR Daily Operations Report for Lake Cachuma in May (ending May 31, 2024) recorded the end of month reservoir elevation at **754.19'** with the end of month storage of **197,003 AF**. USBR recorded total precipitation at the lake of **0.10 inches** for the month. SWP deliveries to the reservoir for South Coast entities were **8.6 AF**. Reported reservoir evaporation in **May** was **1,445.0 AF**.

Based on the updated maximum storage capacity of 192,978 AF (previously 193,305 AF), as of **June 14, 2024** Cachuma reservoir was reported at **101.6%** of capacity, with then-current storage of **196,089 AF** (Santa Barbara County Flood Control District, Rainfall and Reservoir Summary). **As reported last month, USBR declared reservoir spill conditions effective February 1 which currently remain in effect.** 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), USBR issued a 70% allocation, equal to 18,000 AF. ID No.1's 10.31% share of that allocation was 1,855 AF. In the Fall of 2022 when reservoir conditions were low, the Cachuma Member Units initially requested an approximate 15% Cachuma Project allocation for federal WY 2022-2023. By letter dated September 30, 2022, USBR issued an initial 0% allocation for WY 2022-2023. **Based on extraordinary rain conditions that spilled the reservoir in early 2023, USBR approved a 100% Project allocation for WY 2023-2024. According to similar conditions this year, the Cachuma Member Units are planning to submit a joint request for a 100% Project allocation for WY 2024-2025, which USBR would be expected to approve.**

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

Based on recent hydrology, inflows to Cachuma Reservoir this water year have exceeded 33,707 AF and therefore triggered higher fishery release requirements from Bradbury Dam (Table 2 flows under Order 20219-0148; highlighted above). Those requirements will remain in place for the remainder of this year.

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

As previously reported, based on last year's extraordinary rain events, DWR declared the 2023 SWP Table A allocation at 100 percent for the first time since 2006 (compared to a 5 percent allocation in 2022). This year (2024), despite above normal precipitation and snowpack, and above-average storage levels in Lake Oroville (99% of capacity and 127% of historic average), DWR has taken a conservative approach to the Table A allocation. On December 1, 2023, DWR issued an initial 10 percent Table A allocation for 2024. By notice dated February 21, 2024 DWR increased the Table A allocation to 15 percent. On March 22, 2024 DWR increased the Table A allocation to 30 percent. On **April 23, 2024 DWR increased the Table A allocation to 40 percent.** DWR's April notice stated that the allocation may increase again if hydrologic conditions change. The DWR notice further stated:

Although water year 2024 is currently classified as an Above Normal year, the ability to move water supply south through the system this spring continues to be impacted by the presence of threatened and endangered fish species near SWP pumping facilities in the south Delta. The presence of these fish species has triggered state and federal regulations that significantly reduce the pumping from the Delta into the California Aqueduct, which limits the SWP's ability to move and store water in San Luis Reservoir. This reduced pumping is expected to continue into late spring. The SWP is prepared to increase pumping as soon as the fishery conditions and state and federal operating permits allow.

Lake Oroville currently stands at 99% of capacity (127% of the historical average), which would seem to provide a basis for DWR to increase the final 2024 Table A allocation above 40 percent.

As reflected in the Agenda for the April 25, 2024 meeting of the CCWA Board of Directors, CCWA remains engaged in a variety of matters relating to the SWP, including but not limited to: SWP supplies and related SWP operations; CCWA water transfer rules; and the CCWA proposed final budget for Fiscal Year 2024-25. CCWA and its member agencies also remain engaged in their pending litigation against the Santa Barbara County Flood Control and Water Conservation District to maintain CCWA sovereignty over important decisions pertaining to SWP supplies. CCWA's May 23, 2024 Board of Directors meeting was cancelled. The next regular meeting of the CCWA Board is scheduled for June 27, 2024.



— BUREAU OF —
RECLAMATION

Historical Archive and Report Database

Lake Cachuma Daily Operations

Run Date: 6/10/2024

May 2024

DAY	ELEV	STORAGE ACRE-FEET		COMPUTED*	CCWA	PRECIP ON				RELEASE - AF.			EVAPORATION		PRECIP	
		IN LAKE	CHANGE	INFLOW AF.	INFLOW AF.	RES. SURF. AF.	TUNNEL	HILTON CREEK	OUTLET	SPILLWAY	AF.	INCH	INCHES			
	754.27	197,286														
1	754.26	197,255	-31	573.0	0.0	0.0	45.0	14.2	494.0	0.0	51.1	0.240	0.00			
2	754.26	197,255	0	630.0	0.0	0.0	54.0	14.2	496.0	0.0	65.9	0.310	0.00			
3	754.25	197,223	-32	585.0	0.0	0.0	58.5	14.2	495.0	0.0	48.9	0.230	0.00			
4	754.23	197,161	-62	551.0	0.0	0.0	57.5	14.3	496.0	0.0	44.7	0.210	0.00			
5	754.22	197,129	-32	545.0	0.0	23.6	45.9	14.1	490.0	0.0	51.0	0.240	0.09			
6	754.19	197,003	-126	453.0	0.0	0.0	44.0	14.2	495.0	0.0	25.5	0.120	0.00			
7	754.19	197,003	0	606.0	0.0	0.0	44.9	14.2	494.0	0.0	53.2	0.250	0.00			
8	754.16	196,940	-63	538.0	0.0	0.0	44.1	14.2	494.0	0.0	48.9	0.230	0.00			
9	754.13	196,846	-94	504.0	0.0	0.0	39.4	14.2	495.0	0.0	48.9	0.230	0.00			
10	754.10	196,751	-95	517.0	0.0	0.0	42.7	14.2	496.0	0.0	59.5	0.280	0.00			
11	754.06	196,625	-126	476.0	0.0	0.0	44.0	14.2	495.0	0.0	48.8	0.230	0.00			
12	754.04	196,562	-63	459.0	0.0	0.0	44.6	14.1	406.0	0.0	57.3	0.270	0.00			
13	754.03	196,531	-31	473.0	0.0	0.0	46.7	14.2	396.0	0.0	46.7	0.220	0.00			
14	754.04	196,562	31	445.0	0.0	0.0	45.9	14.2	314.0	0.0	40.3	0.190	0.00			
15	754.04	196,562	0	406.0	0.0	0.0	43.6	14.2	308.0	0.0	40.3	0.190	0.00			
16	754.03	196,531	-31	372.0	0.0	0.0	44.8	14.2	308.0	0.0	36.1	0.170	0.00			
17	754.03	196,531	0	376.0	0.0	0.0	44.1	14.2	290.0	0.0	27.6	0.130	0.00			
18	754.04	196,562	31	409.0	0.0	0.0	44.5	14.1	251.0	0.0	67.9	0.320	0.00			
19	754.06	196,625	63	374.0	0.0	0.0	43.2	14.2	213.0	0.0	40.3	0.190	0.00			
20	754.09	196,688	63	330.0	0.0	0.0	38.7	14.2	172.0	0.0	42.5	0.200	0.00			
21	754.12	196,814	126	353.0	0.0	0.0	40.9	14.2	131.0	0.0	40.4	0.190	0.00			
22	754.16	196,940	126	336.0	0.0	0.0	24.8	14.2	128.0	0.0	42.5	0.200	0.00			
23	754.17	196,972	32	286.0	0.0	0.0	53.5	14.2	129.0	0.0	57.4	0.270	0.00			
24	754.18	197,003	31	262.0	0.0	2.6	50.0	14.2	129.0	0.0	40.4	0.190	0.01			
25	754.18	197,003	0	245.0	0.0	0.0	52.0	14.2	128.0	0.0	51.0	0.240	0.00			
26	754.19	197,003	0	242.0	0.0	0.0	51.9	14.2	129.0	0.0	46.8	0.220	0.00			
27	754.20	197,066	63	294.0	0.0	0.0	45.7	14.2	129.0	0.0	42.5	0.200	0.00			
28	754.20	197,066	0	233.0	0.0	0.0	44.4	14.2	128.0	0.0	46.8	0.220	0.00			
29	754.21	197,098	32	257.0	8.6	0.0	43.2	14.2	129.0	0.0	46.8	0.220	0.00			
30	754.19	197,003	-95	139.0	0.0	0.0	48.5	14.2	129.0	0.0	42.5	0.200	0.00			
31	754.19	197,003	0	234.0	0.0	0.0	48.5	14.2	129.0	0.0	42.5	0.200	0.00			
TOTALS			-283	12,503.0	8.6	26.2	1,419.5	440.0	9,516.0	0.0	1,445.0	6.800	0.10			
AVERAGE		196,881														

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: 6/14/2024

Water Year: 2024

Storm Number: NA

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 > <https://rain.cosbpw.net>

Rainfall	ID	24 hrs	Storm 0day(s)	Month	Year*	% to Date	% of Year*	AI
Buellton (Fire Stn)	233	0.00	0.00	0.00	21.80	132%	131%	
Cachuma Dam (USBR)	332	0.00	0.00	0.00	31.00	157%	156%	
Carpinteria (Fire Stn)	208	0.00	0.00	0.10	26.24	153%	153%	
Cuyama (Fire Stn)	436	0.00	0.00	0.00	9.70	128%	126%	
Figueroa Mtn (USFS Stn)	421	0.00	0.00	0.00	26.51	124%	124%	9.0
Gibraltar Dam (City Facility)	230	0.00	0.00	0.00	42.70	162%	162%	9.2
Goleta (Fire Stn-Los Carneros)	440	0.01	0.00	0.05	25.40	139%	138%	
Lompoc (City Hall)	439	0.00	0.00	0.02	24.53	167%	167%	9.0
Los Alamos (Fire Stn)	204	0.00	0.00	0.00	20.87	137%	136%	
San Marcos Pass (USFS Stn)	212	0.00	0.00	0.01	57.47	168%	167%	
Santa Barbara (County Bldg)	234	0.01	0.00	0.04	32.95	180%	179%	
Santa Maria (City Pub.Works)	380	0.00	0.00	0.00	16.51	124%	124%	
Santa Ynez (Fire Stn /Airport)	218	0.00	0.00	0.00	20.52	130%	130%	
Sisquoc (Fire Stn)	256	0.00	0.00	0.00	15.43	103%	103%	

Countywide percentage of "Normal-to-Date" rainfall : **143%**

Countywide percentage of "Normal Water-Year" rainfall : **143%**

Countywide percentage of "Normal Water-Year" rainfall calculated assuming no more rain through Aug. 31, 2024 (End of WY2024).

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 based on Dec 2021 capacity revision)

	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	1,400.07	4,693	4,709	100.3%	-7	1,527
<u>Cachuma Reservoir</u>	753.**	753.99	192,978	196,089	101.6%	-602	12,095
<u>Jameson Reservoir</u>	2,224.00	2,223.88	4,848	4,833	99.7%	-5	49
<u>Twitchell Reservoir</u>	651.50	573.42	194,971	25,912	13.3%	-4,088	-29,520

[Previous Rainfall and Reservoir Summaries](#)

California Irrigation Management Information System (CIMIS)

CIMIS Daily Report

Rendered in ENGLISH Units.

Wednesday, May 1, 2024 - Sunday, June 2, 2024

Printed on Monday, June 3, 2024

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)
5/1/2024	0.22	0.00	678	9.6	85.4	43.0	58.8	99	17	57	43.6	3.5	84.0	63.3
5/2/2024	0.23	0.00	702 R	10.7	80.1	37.5	57.2	97	34	67	46.3	3.8	91.6	63.6
5/3/2024	0.19	0.00	638	12.6	72.1	48.8	57.3	96	53	79	50.8	3.6	86.7	63.8
5/4/2024	0.10	0.06	378	12.2	64.6	48.1	54.7	97	63	84	49.9	3.6	85.5	64.1
5/5/2024	0.22	0.00	715 R	8.9	67.3	40.2	52.5	98	34	66	41.4	5.4	130.1	63.8
5/6/2024	0.22	0.00	718 R	9.1	77.2	35.6	54.4	98	30	63	42.1	3.5	83.0	63.2
5/7/2024	0.22	0.00	714 R	10.1	77.9	36.9	54.2	98	38	71	44.9	3.8	91.8	63.1
5/8/2024	0.23	0.00	697	10.7	82.4	41.5	58.1	99	31	65	46.3	3.2	75.6	63.2
5/9/2024	0.22	0.00	705	12.3	79.0	39.9	59.0	98	42	72	50.0	2.9	70.0	63.7
5/10/2024	0.22	0.00	686	13.5	79.6	43.6	59.5	98	53	78	52.5	3.2	77.8	64.1
5/11/2024	0.22	0.00	669	13.8	83.6	48.0	61.8	99	43	73	53.1	3.4	82.0	64.8
5/12/2024	0.20	0.00	659	13.7	77.0	49.9	59.9	99	50	78	53.0	3.7	88.2	65.4
5/13/2024	0.15	0.00	519	13.3	72.9	52.0	58.1	94	58	81	52.1	3.5	82.8	65.9
5/14/2024	0.17	0.00	571	12.8	73.0	50.8	58.0	96	55	78	51.1	3.3	79.0	65.9
5/15/2024	0.16	0.00	536	13.2	73.4	51.6	58.6	96	55	78	51.9	3.3	78.9	66.0
5/16/2024	0.16	0.00	555	13.6	76.2	52.0	59.3	96	55	79	52.8	3.5	83.4	66.1
5/17/2024	0.19	0.00	631	13.7	75.8	52.6	60.8	91	55	75	53.0	3.2	77.7	66.4
5/18/2024	0.15	0.00	510	13.6	70.4	54.1	59.1	93	62	79	52.7	3.4	81.0	66.8
5/19/2024	0.17	0.00	569	13.1	73.0	52.2	58.8	96	56	77	51.7	3.4	81.6	66.8
5/20/2024	0.18	0.00	615	11.5	69.2	50.9	56.9	90	50	72	48.2	3.6	86.1	66.9
5/21/2024	0.18	0.00	606	12.5	76.0	51.0	58.7	93	50	74	50.4	3.2	76.1	66.9
5/22/2024	0.20	0.00	647	12.8	74.4	49.9	58.1	96	50	77	51.0	3.7	88.0	67.0
5/23/2024	0.17	0.00	570	12.5	73.6	49.8	57.4	96	55	78	50.5	3.4	81.4	67.2
5/24/2024	0.19	0.00	632	11.3	70.4	49.6	57.1	95	48	71	47.8	3.5	84.2	67.3
5/25/2024	0.21	0.00	692	12.3	72.3	49.7	58.2	92	52	71	50.0	4.2	100.7	67.3
5/26/2024	0.17	0.00	572	12.2	72.0	49.2	57.1	95	54	76	49.8	3.4	80.6	67.5
5/27/2024	0.19	0.00	620	12.8	76.7	51.3	58.9	91	51	76	51.2	3.3	78.6	67.6
5/28/2024	0.19	0.00	625	12.9	74.2	50.2	58.3	95	54	78	51.4	3.3	79.4	67.8
5/29/2024	0.22	0.00	716	12.7	74.9	47.1	59.3	97	52	73	50.9	3.4	82.1	68.0
5/30/2024	0.23	0.00 H	720 H	13.2 H	81.2	46.9	61.4 H	99 H	42 H	71	52.0	3.3 H	78.9 H	68.3 H
5/31/2024	0.21	0.00	683	13.9	78.7	50.8	61.1	97	52	76	53.4	3.4	82.4	68.8
Tots/Avgs	5.98	0.06	631	12.3	75.3	47.6	58.2	96	48	74	49.9	3.5	84.2	65.8

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)
6/1/2024	0.16	0.00	548	12.8	70.1	51.7	57.4	96	57	79	51.1	3.4	81.2	69.2
6/2/2024	0.20	0.00	650	13.1	71.8	52.4	58.9	93	58	77	51.8	3.7	87.6	69.1
Tots/Avgs	0.36	0.00	599	13.0	70.9	52.1	58.2	95	58	78	51.5	3.6	84.4	69.2

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
mph * 0.447 = m/s	mBars * 0.1 = kPa	miles * 1.60934 = km



CENTRAL COAST WATER AUTHORITY
MEMORANDUM

TO: Dessi Mladenova, Controller
FROM: Lacey Adam, Senior Accountant
SUBJECT: Monthly Water Deliveries

June 10, 2024

According to the CCWA revenue meters at each turnout, the following deliveries were made during the month of May 2024:

<u>Project Participant</u>	<u>Delivery Amount (acre-feet)</u>
Chorro	150.13
López.....	92.34
Shandon.....	0.00
Guadalupe.....	44.40
Santa Maria.....	327.75
Golden State Water Co.....	0.00
Vandenberg.....	227.96
Buellton	17.19
Solvang	74.25
Santa Ynez ID#1	232.84
Bradbury.....	8.64
TOTAL	1,175.50

In order to reconcile these deliveries with the DWR revenue meter, which read 1,195 acre-feet, the following delivery amounts should be used for billing purposes:

<u>Project Participant</u>	<u>Delivery Amount (acre-feet)</u>
Chorro	153
López	94
Shandon.....	0
Guadalupe.....	46
Santa Maria.....	318*
Golden State Water Co	20*
Vandenberg	234
Buellton	17
Solvang	76
Santa Ynez ID#1	237
Bradbury	0
TOTAL	1,195

*Golden State Water Company delivered 20 acre-feet into its system through the Santa Maria turnout. This delivery is recorded by providing a credit of 20 acre-feet to the City of Santa Maria and a charge in the same amount to the Golden State Water Company.

Note: For water quality issues, 9 AF of water was flushed from the pipeline. It was allocated among all participants based on their percentage of actual deliveries for the fiscal year.

Notes: Santa Ynez ID#1 water usage is divided into 0 acre-feet of Table A water and 237 acre-feet of exchange water.

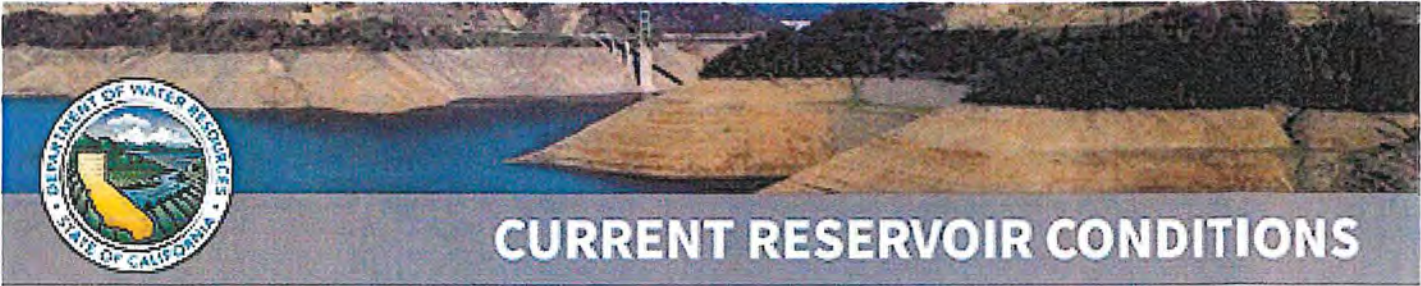
The exchange water is allocated as follows

<u>Project Participant</u>	<u>Exchange Amount (acre-feet)</u>
Goleta	85
Santa Barbara	57
Montecito	57
Carpinteria	<u>38</u>
TOTAL	237

Bradbury Deliveries into Lake Cachuma are allocated as follows:

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

cc: Tom Bunosky, GWD
Mike Babb, Golden State WC
Joshua Haggmark, 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
Todd Bodem, City of Guadalupe
Robert MacDonald, Carpinteria Valley WD
Mike Alvarado, La Cumbre Mutual WC
Pernell Rush, Vandenberg SFB
Nick Turner, Montecito WD
Randy Murphy, City of Solvang
Rose Hess, City of Buellton

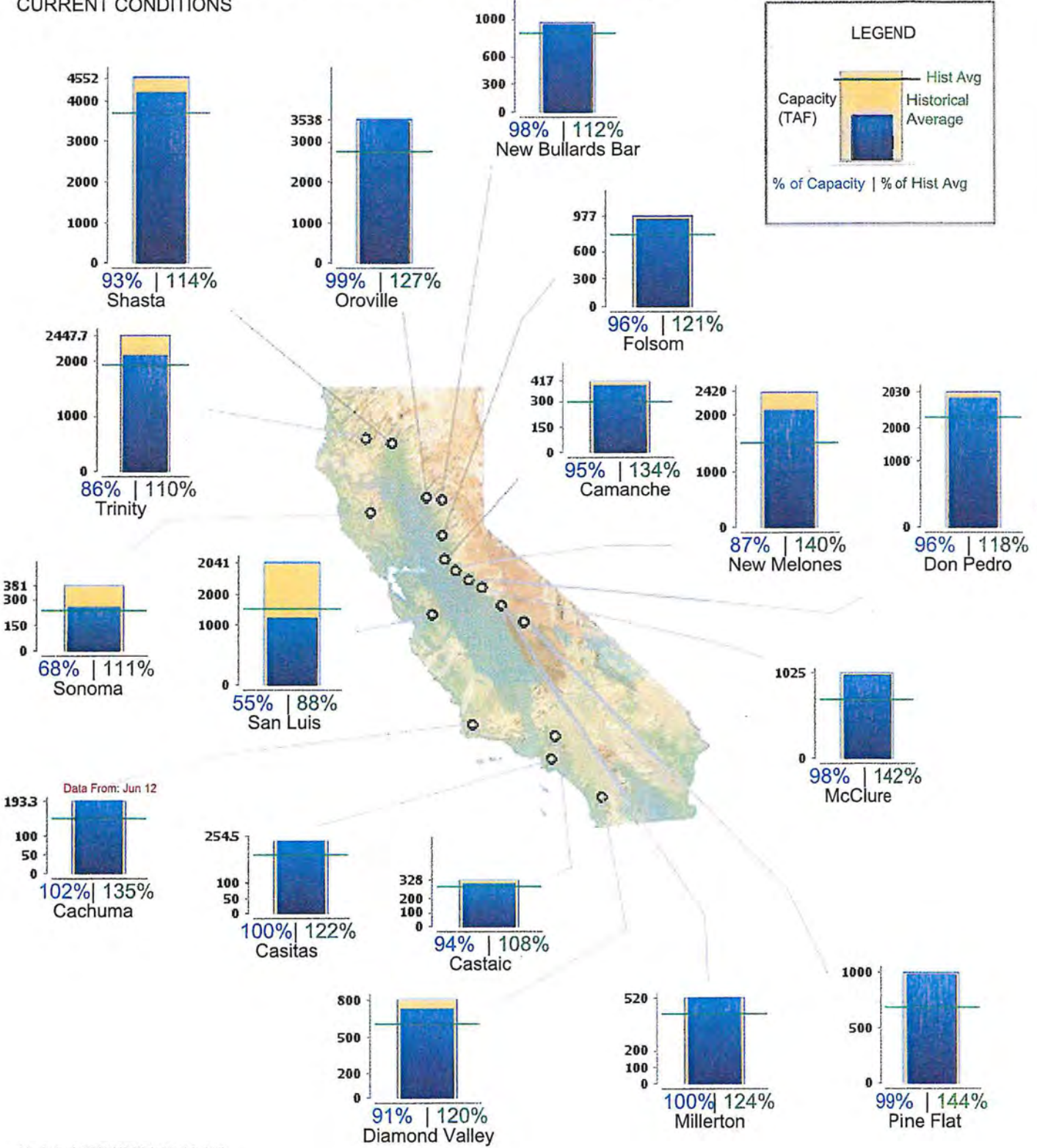
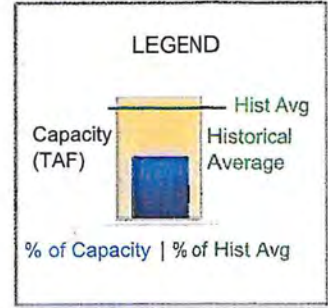


CURRENT RESERVOIR CONDITIONS

CALIFORNIA MAJOR WATER SUPPLY RESERVOIRS

Midnight - June 13, 2024

CURRENT CONDITIONS





Central Coast Water Authority

(<https://www.ccwa.com/>)

[Contact Us \(/contact-us\)](/contact-us)

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Go!

THIS ITEM APPEARS ON

[BOARD MEETINGS \(/BOARD-MEETINGS\)](/board-meetings)

JUN
27
2024

Board Meeting

will be held at 9:00 a.m., on Thursday, June 27, 2024

at 255 Industrial Way, Buellton, California 93427

Members of the public may participate by video call or telephone via

URL: <https://meetings.ringcentral.com/j/1478305541>

(<https://meetings.ringcentral.com/j/1478305541>)

or by dialing (623)404-9000 and entering access Code/Meeting ID:

1478305541 #

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255 INDUSTRIAL WAY, BUELLTON CA 93427

TELEPHONE (805) 688-2292

EMPLOYEE PORTAL ([HTTPS://CCWAPORTAL.SPECIALDISTRICT.ORG/#/](https://ccwaportal.specialdistrict.org/#/))

BOARD MEMBER PORTAL ([HTTPS://CCWABOARDPORTAL.SPECIALDISTRICT.ORG/](https://ccwaboardportal.specialdistrict.org/))

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RESOLUTION NO. 844

**A RESOLUTION OF THE BOARD OF TRUSTEES
OF THE SANTA YNEZ RIVER WATER CONSERVATION DISTRICT
IMPROVEMENT DISTRICT NO.1
ESTABLISHING THE APPROPRIATION LIMIT FOR FISCAL YEAR 2024/2025
PURSUANT TO ARTICLE XIII B OF THE CALIFORNIA CONSTITUTION**

BE IT HEREBY RESOLVED, by the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 ("District"), Santa Barbara County, California, that:

WHEREAS, the District is required pursuant to Government Code Section 7910 to establish by Resolution its appropriation limit for the 2024/2025 fiscal year; and

WHEREAS, the documentation used in the determination of said limit has been available to the public at the District office and on the District website for at least fifteen (15) days prior to the date of this Resolution, and was published in a newspaper of general circulation within the District on June 6, 2024 and on June 13, 2023.

BE IT HEREBY RESOLVED that, in accordance with information published by the California Department of Finance, the appropriation limit of the Santa Ynez River Water Conservation District, Improvement District No.1, for the 2024/2025 fiscal year is established at \$2,481,499.

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 June 18, 2024, by the following roll call vote:

AYES, and in favor thereof, Trustees:

NOES, Trustees:

ABSENT, Trustees:

Jeff Clay, President

ATTEST:

Mary Robel, Secretary to the Board of Trustees

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT
IMPROVEMENT DISTRICT NO.1
3622 SAGUNTO STREET - P.O. BOX 157
SANTA YNEZ, CA 93460
(805) 688-6015

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 will consider adopting a Resolution setting the limit of appropriations pursuant to Article XIII B of the Constitution of the State of California for fiscal year 2024/2025 at a Regular Meeting to be held on Tuesday, June 18, 2024, at 3:00 p.m.

Documentation used in determining said limit is available to the public at the District office located at 3622 Sagunto Street, Santa Ynez, and on the District's website as of the posted date set forth below.


Secretary to the Board of Trustees

Dated: May 21, 2024

Posted: Wednesday, May 22, 2024 at the District Office

Newspaper Publication Dates:

Thursday, June 6, 2024

Thursday, June 13, 2024

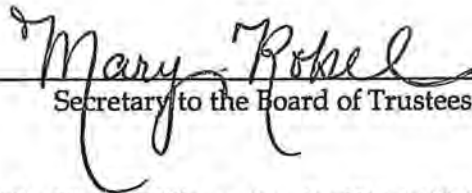
**SANTA YNEZ RIVER WATER CONSERVATION DISTRICT
IMPROVEMENT DISTRICT NO. 1**

2024/2025 FISCAL YEAR APPROPRIATION LIMITATION CALCULATION

Population and California per capita personal income change data provided by the State of California Department of Finance effective January 1, 2024 are used in computing the 2024/2025 Appropriation Limitation Calculation as follows:

2023/24 Appropriation Limit	\$2,388,353
Per Capita Personal Income Percentage Change over Prior Year	3.62 percent
Population Change over Prior Year Santa Barbara County	0.28 percent
Per Capita converted to a ratio:	$\frac{3.62 + 100}{100} = 1.0362$
Population converted to a ratio:	$\frac{0.28 + 100}{100} = 1.0028$
CPI Factor	1.0362
Population Factor	1.0028
CPI Factor X Population Factor	1.039
1.039 x \$2,388,353 =	<u>\$2,481,499</u>

A Resolution will be presented to the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1, for adoption of the 2024/2025 Appropriation Limit at a Regular Meeting on June 18, 2024.


Secretary to the Board of Trustees

Posted: Wednesday, May 22, 2024 at the District Office and on the District Website www.syrwd.org
Newspaper Publication Dates: Thursday, June 6, 2024 and Thursday, June 13, 2024

**Santa Ynez River Water Conservation District
Improvement District No.1
3622 Sagunto Street – P.O. Box 157
Santa Ynez, CA 93460
(805) 688-6015**

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Mary Robel
Secretary to the Board of Trustees

Dated: May 21, 2024

Posted: Wednesday, May 22, 2024 at the District Office

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

**2024/2025 FISCAL YEAR APPROPRIATION LIMITATION
CALCULATION**

2023/24 Appropriation Limit	\$2,388,353
Per Capita Personal Income Percentage Change over Prior Year	3.62 percentage
Population Change over Prior Year Santa Barbara County	0.28 percentage
Per Capita converted to a ratio:	$\frac{3.62 + 100}{100} = 1.0362$
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Population Factor	1.0028
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Mary Robel – Secretary to the Board of Trustees

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Newspaper Publication Dates: Thursday, June 6, 2024 and Thursday, June 13, 2024

Printed by: Rub dates: Jun 6, 13, 2024
Legal 343807

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

**FY 2024/2025
FINAL
BUDGET**





BOARD OF TRUSTEES

Mark Moniot
Division 1

Jeff Clay, President
Division 2

Nick Urton
Division 3

Michael Burchardi, Vice President
Division 4

Brad Joos
Trustee-At-Large

This Budget was prepared under the direction of:

Paeter Garcia, General Manager

Mary Robel, Assistant General Manager

Racel Cota, Administrative and Financial Manager

STAFF CONTRIBUTORS

Dan Drugan, Water Resources Manager

Joe Come', Operations & Maintenance Superintendent

MISSION STATEMENT

To provide the residential and agricultural customers in the Santa Ynez River Water Conservation District, Improvement District No.1 service area with reasonably priced, reliable, high quality water supply, and efficient and economical public services.

DISTRICT OVERVIEW, STRUCTURE AND STAFFING

The Santa Ynez River Water Conservation District, Improvement District No.1 (District) was formed in 1959 under the Water Conservation District Law of 1931, Division 21, Section 74000 et seq. of the California Water Code (the Act) for the purpose of furnishing water and related water supply services within the District's boundaries. The District has operated continuously since 1959.

Located in the central portion of Santa Barbara County, the District serves the communities of Santa Ynez, Los Olivos, Ballard, the Santa Ynez Band of Chumash Indians, and the City of Solvang on a limited basis. With a service area population of approximately 7,022 (excluding the City of Solvang), the District currently provides water directly to approximately 2,624 municipal and industrial customers (including domestic/residential, commercial, institutional, rural residential, and fire service) and approximately 97 agricultural customers. The District encompasses an area of approximately 10,850 acres (including approximately 1,300 acres within Solvang).

The District obtains its water supplies from the Cachuma Project/State Water Exchange, direct diversions from the Cachuma Project (as needed), contractual deliveries from the State Water Project as a member agency of the Central Coast Water Authority, production from the Santa Ynez Uplands Groundwater Basin, and diversions from the Santa Ynez River alluvium. The District's major activities include acquisition, construction, operation, and maintenance of works and facilities for the development and use of water resources and water rights, including without limitation, works and facilities to divert, store, pump, treat, deliver, and sell water for reasonable and beneficial uses by the District's customers.

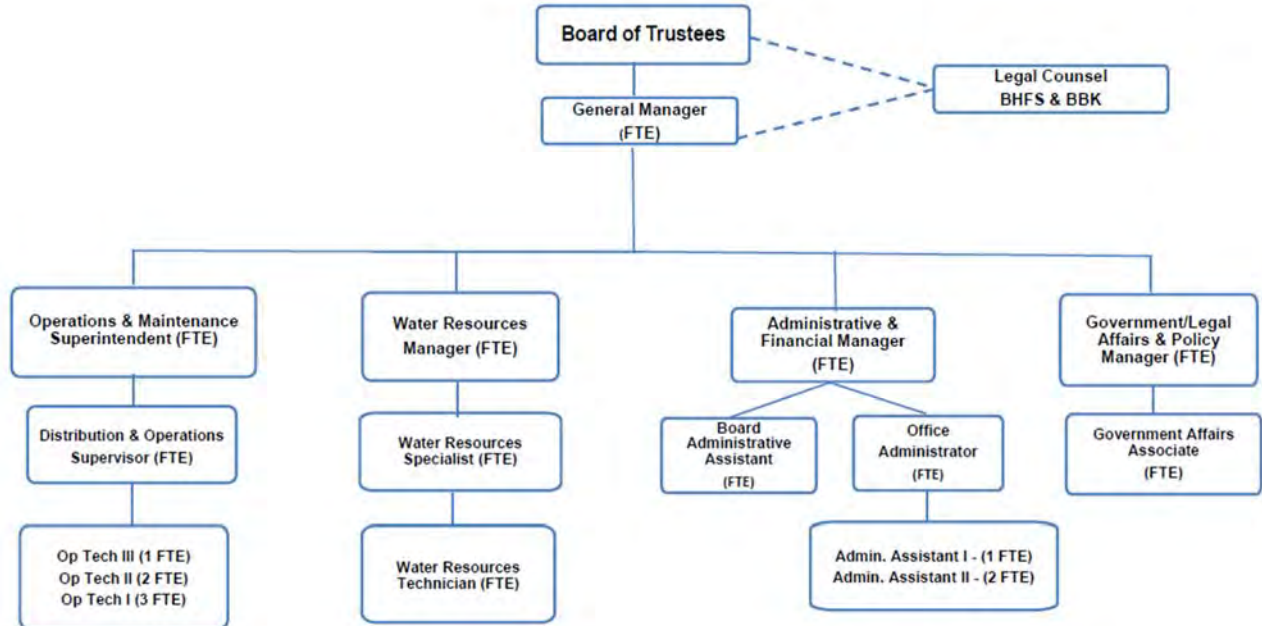
Operational Information

- District Pipelines (in miles) = 92
- Number of Booster Pump Stations = 4 with 11 pumps
- Number of Active Wells = 17
- SWP/ID No.1 Turnout = 5 pumps
- Number of water storage reservoirs/tanks = 4 with a total capacity of 16.7 million gallons
- Current number of approved, funded full-time equivalent (FTE) positions = 20

ORGANIZATION CHART

FISCAL YEAR 2024/2025

ORGANIZATIONAL CHART



TOTAL POSITIONS = 20
 FULL TIME = 20
 Updated 04/2024

EXECUTIVE SUMMARY

FISCAL YEAR 2024/25

BUDGET PROCESS

The District's fiscal year budget is one of the most important documents prepared by management for the Board of Trustees. The financial accounts and line items reflected in this document and the FY 2024/25 Final Budget describe the annual fiscal year budget beginning July 1, 2024 and ending on June 30, 2025.

The development and adoption of the District's annual budget is based on projected revenues and expenditures, as well as identified projects and programs which provide the financial foundation for District activities. The budget serves as a roadmap for ensuring reasonable costs and predictable customer rates. The budget blends advanced revenue forecasting and effective expenditure management with the infrastructure investment needed to deliver safe, reliable, cost-effective, and sustainable water supplies to the communities served by the District.

Through the process of planning and preparing the budget, management compared the 2016 Water Rate Study results with the prior year financial conditions and year-end estimated outcomes, then forecasted the funding needs of the District in order to continue to provide high levels of water service, meet regulatory requirements, and comply with applicable financial obligations throughout the fiscal year and beyond.

To determine the annual operating budget and capital costs necessary to provide water service, the General Manager and Assistant General Manager work with the Administrative & Financial Manager, Water Resources Manager, and the Operations & Maintenance Superintendent to identify and prioritize estimated operating expenditures and capital improvement projects. Once a Final Budget is prepared, it is presented to the Board of Trustees at a public meeting to provide an opportunity for questions, modifications, and direction to staff to finalize the budget for Board approval at a subsequent public meeting. The Final Budget provides a necessary foundation for the District's administrative, operations, and maintenance programs, debt service obligations, and other financial commitments and service objectives for the coming fiscal year.

REPORTING BASIS

The District utilizes the accrual basis for budgeting purposes and for accounting and financial reporting. The accrual method recognizes revenues and expenses in the period in which they are earned and incurred. The accrual method is the Generally Accepted Accounting Principal (GAAP) for financial reporting.

The District reports its activities as an enterprise fund. This method of reporting is used to account for operations that are financed and administered in a manner similar to a private business enterprise. The costs of providing water and services to customers on a continuing basis (including replacement of existing assets) should be financed or recovered primarily through user charges and the costs are borne by the customers who are receiving the benefit of the assets.

The FY 2024/25 Final Budget was developed from the Uniform System of Accounts for Water Utilities which includes a set of tables providing details for revenue and expenditure categories of the District. **The tables contained in this Report are intended to be reviewed in connection with the FY 2024/25 Final Budget document.**

The accounting for the budget is supported by the QuickBooks accounting system which is verified annually by an independent audit performed by Bartlett, Pringle & Wolf. The budget tables show categories of the operating revenues as compared to operating expenditures along with debt service and special studies expenditures, including but not limited to compliance with various state and federal regulatory requirements applicable to fisheries protection in the Lower Santa Ynez River, compliance with water rights orders issued by the State Water Resources Control Board, and implementation of contractual requirements. Historically, the District's operating expenses and Capital Improvement Project program are to be fully funded by operating revenues, and as necessary and appropriate from reserve funds. The Capital Improvement Project expenditures can be funded by a combination of operating revenues and reserves.

BUDGET AND RESERVE FUND BACKGROUND

The District's 2016 Water Rate Study, inclusive of the approved Water Rate Schedule, was adopted by the District's Board of Trustees on December 13, 2016 and became effective on February 1, 2017. The Water Rate Study and Schedule provide the foundation for incrementally increased revenues over a five-year period. Rates were developed to meet operating expenses, debt service obligations, capital improvement projects (partially), and other planned expenditures. The Water Rate Study also includes a Reserves analysis and a plan for adding to the District's reserve funds over time to allow for recovery of reserve deficits that occurred over the previous six-year period. The last rate adjustment pursuant to the Water Rate Schedule went into effect on July 1, 2021 and remains in effect for the FY 2024/25 budget cycle. The FY 2024/25 Final Budget proposes to fully fund all expense categories, including Operations and Maintenance (O&M), General and Administrative (G&A), Debt Service, Other Expenses and Special Studies, and Capital Improvement Project program costs, leaving a net balance of \$1,943,560 which will be added to the District's reserves.

Below are the past fiscal year and the most current fiscal quarter-end Reserve balances based on actual accounting and audit information.

Table 1

RESERVE BALANCES

	June 30, 2023	March 31, 2024
<u>BOARD RESERVED</u>		
Debt Repayment Obligation	\$291,241	\$614,222 ¹
Repair & Replacement	\$6,054,018	\$7,390,060
Plant Expansion	\$7,366,450	\$8,672,492
Subtotal	\$13,681,709	\$16,676,774
<u>RESTRICTED RESERVE</u>		
Dev. Fee; SY Septic	\$109,212	\$109,212
State Water Project Reserve ²	\$3,000,000	\$3,000,000

1. This amount represents a Debt Payment Obligation reserve balance at 9-months of current FY 2023/24. The year-end reserve amount in this category will change at June 20, 2024 to reflect payments for the SWP payment due on June 1, and the USBR Safety of Dams Repayment Contract payment.
2. One year set aside payment established to guarantee ID No.1's contractual debt obligation in the event of a default by the City of Solvang.

BUDGET IN DETAIL

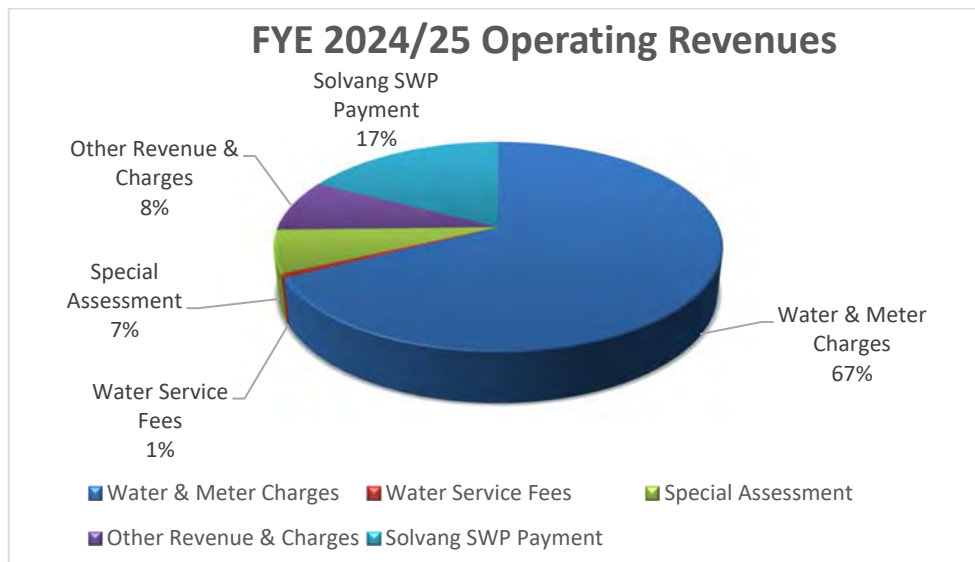
The specific revenue and expenditure categories of the budget account for the adopted water rates and revenues, prior year audit data, and financial account information. The categories are displayed using actual 9-month revenue and expenditure data from the current fiscal year and are also projected to show the fiscal year-end figures (June 30, 2024). This information is used as part of the evaluation to develop the FY 2024/25 Final Budget.

The FY 2024/25 Final Budget of \$13,257,340 reflects an overall 2.9% increase compared to the projected June 30, 2024 year-end results and is 2.6% more than the financial projections adopted as part of the 2016 Water Rate Study. As noted above, the FY 2024/25 Final Budget assumes that water rates remain static based upon the last rate increase that went into effect July 1, 2021. The water rates are applied to forecasted water sales and meter charges in FY 2024/25 based on actual sales and charges in the current and prior fiscal years. The budget also assumes no increase in the \$875,000 Special Assessment/Ad Valorem Tax, even though the authorized limit for FY 2024/25 is \$2,481,499. Other factors such as capital facilities charges and interest income are integral parts of the forecast. The information below shows that budgeted revenues will meet projected operating expenditures and debt service obligations, and result in a projected net revenue balance of \$3,898,498. This revenue balance will fund the Other Expenses and Special Studies categories as further detailed in the Final Budget, leaving a balance of \$2,888,748 in net operating revenues, which will fully fund the proposed \$945,188 Capital Improvement Projects (CIP) Program for FY 2024/25, leaving a net balance of \$1,943,560 which will contribute to the District's reserves.

SUMMARY OF REVENUES

The District operates according to cost of service, with revenues derived primarily from water sales, the special tax assessment, fixed monthly service charges, and other water services. For the FY 2024/25 Final Budget, the total operating revenues are projected at \$13,257,340 including the SWP revenue of \$2,297,460 from the City of Solvang. Actual projected total revenues are \$10,959,880 without the SWP pass-through payment. Table 2 below summarizes the distribution of the District's projected revenue sources for FY 2024/25.

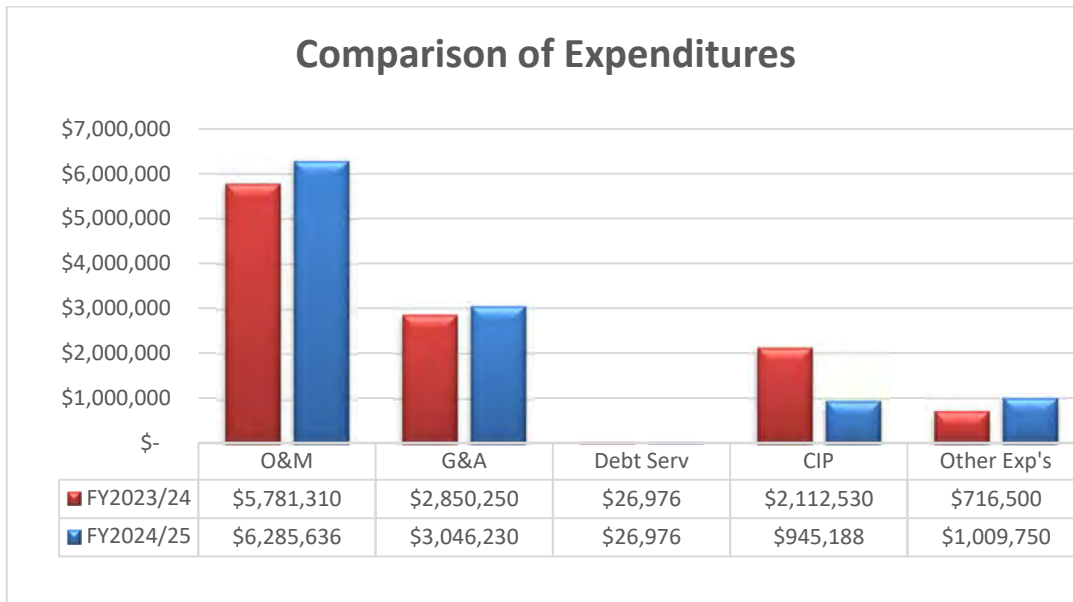
Table 2



SUMMARY OF EXPENDITURES

Based on the FY 2024/25 Final Budget, the District’s projected water sales and other operating revenues, including the FY 2024/25 special tax assessment, will fully fund the overall operating expenditures, including all categories of Operation & Maintenance, General & Administrative, and Debt Service, and result in a net revenue balance of \$3,898,498. This net balance of operating revenues is proposed to fund the District’s Other Expenses and Special Studies categories as further detailed in the Final Budget. Thereafter, a net revenue balance of \$2,888,748 is proposed to fully fund the District’s FY 2024/25 CIP program. Table 3 below shows all expenditure categories for FY 2024/25 in comparison to the previous fiscal year.

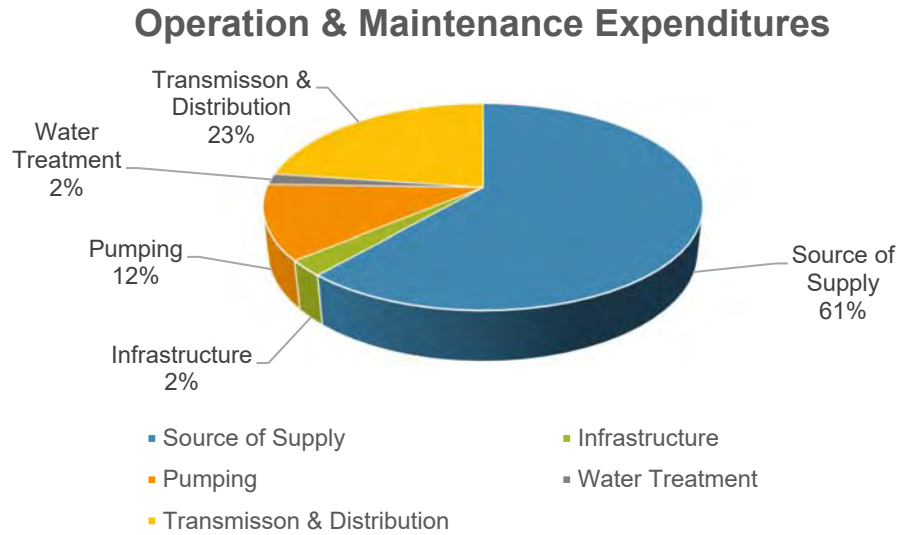
Table 3



EXPENDITURES - OPERATION AND MAINTENANCE (O&M)

The overall budget for O&M expenditures for FY 2024/25 is 8% (\$504,326) more than last year’s FY 2023/24 budget, with the Source of Supply category having the single largest increase totaling \$493,295. This is directly attributable to an increase in fixed CCWA/DWR costs, which resulted in an increase of \$319,669 in ID No.1’s State Water Project costs for FY 2024/25 and \$154,177 for the City of Solvang’s passthrough expenses for the year. Additionally, the United States Bureau of Reclamation (USBR) charges for Cachuma Project supplies and Renewal/Environmental Fund reflects a \$17,097 increase in the coming fiscal year. The reason for the increase is the Renewal Fund obligation’s fluctuation that occurs from year-to-year, which is based upon the projected annual allocation of Cachuma Project water that is made available to the Cachuma Member Units for the upcoming water year. For FY 2024/25, there is an anticipated 100% allocation of Cachuma Project water. The Infrastructure expense category remained unchanged from FY 2023/24 and includes funding attributable to Santa Barbara County’s Pavement Rehabilitation Project, which is slated to be completed in FY 2024/25 and reflected in the District’s maintenance of mains account (712000). Funding for this work is estimated at \$30,000 (\$1,500 per valve box) for the County’s contractor to lower and raise 20 valve boxes to finished grade. Other expense categories of Pumping and Transmission & Distribution all realized increases based on inflationary and vendor increases. Table 4 on the next page illustrates the distribution of costs for the O&M expense categories.

Table 4



EXPENDITURES - GENERAL AND ADMINISTRATION (G&A)

The overall budget for G&A expenditures for FY 2024/25 increased 6% (\$195,979) compared to last year's FY 2023/24 budget.

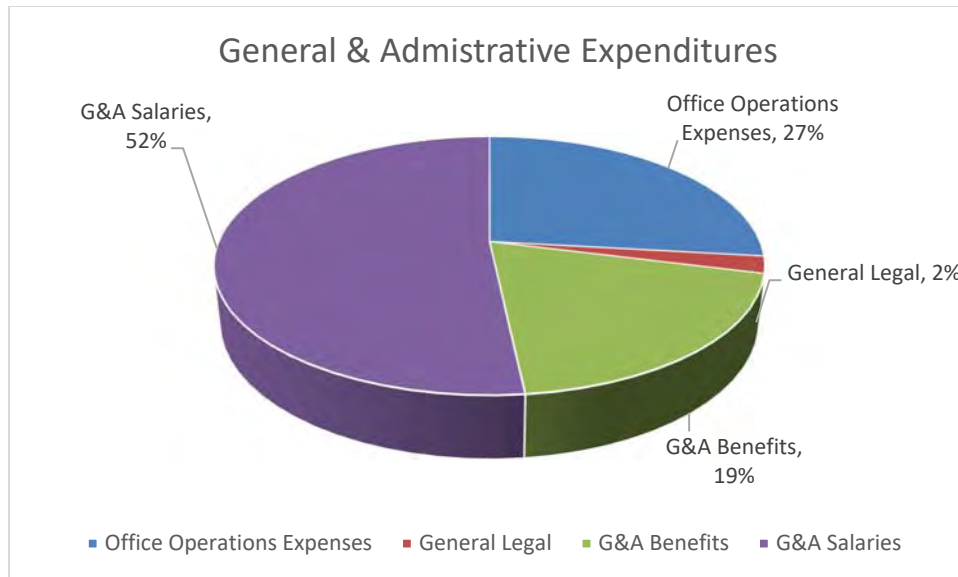
Administrative expenses, including election costs, dues and subscriptions, miscellaneous service contracts, various utilities, and liability insurance are projected to increase slightly due to inflationary and vendor cost increases related to the current economic climate. Consulting services for FY 2024/25 will increase based upon the need for an outside consultant to assist with updating the District's Geographic Information System (GIS) platform.

Other increases to this expense category are tied to Cost of Living Adjustments (COLA) and merit increases to employee salaries in accordance with the District's adopted Personnel Policy Manual and Salary Schedule, which in turn affect retirement and payroll tax expenses. The District-wide COLA is being proposed at 3.9% for FY 2024/25. The COLA is consistent with industry standards and is based upon the Consumer Price Index 12-month calculation data (April-March). The COLA factor is obtained by the U.S. Bureau of Labor Statistics through averaging the most recent 12-month indexes compared to the prior year for all urban wage earners and clerical workers for the Los Angeles-Long Beach-Anaheim area of California.

Additionally, according to ACWA JPIA, premiums for health, dental, and vision coverage are anticipated to have an inflationary increase of 10% for each coverage plan.

Table 5 below illustrates the distribution of costs for the G&A expense categories.

Table 5



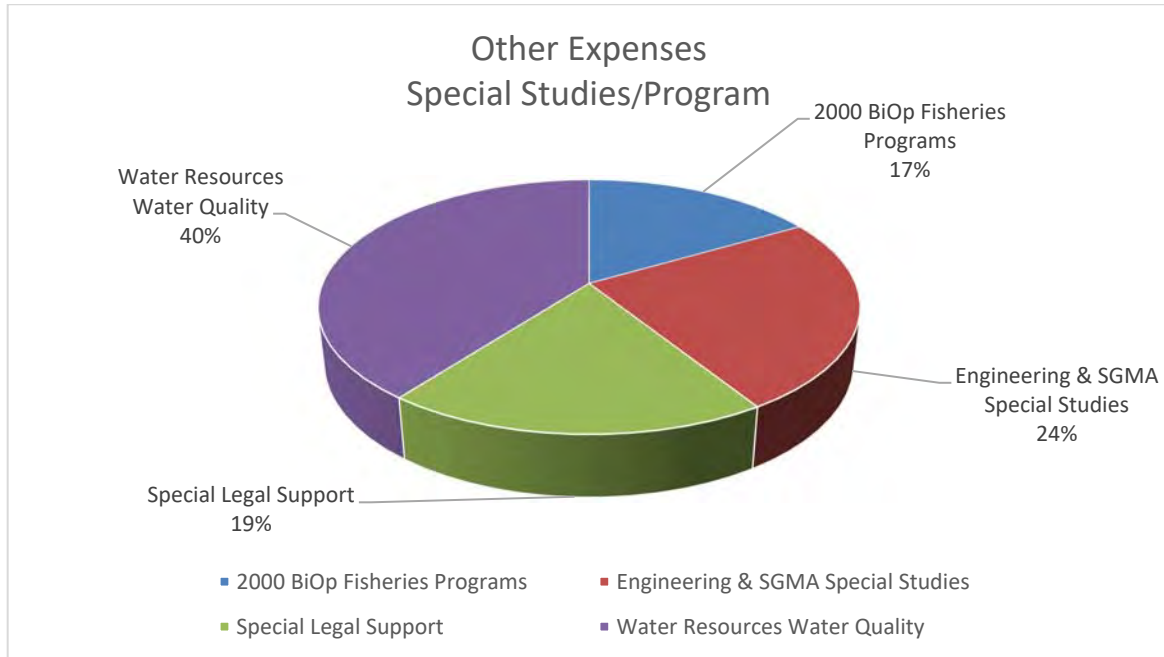
DEBT SERVICE

The District’s Debt Service category for FY 2024/25 includes the USBR Safety of Dams repayment (principal and interest) which remains constant for the 50-year term at \$26,976 per year. As detailed above, the FY 2024/25 operating revenues, inclusive of the special tax assessment, are projected to fully fund the District’s operating expenses plus debt service.

OTHER EXPENSES

For FY 2024/25, the budgeted amount of \$1,009,750 in the Other Expenses category will be funded by the net revenue balance of \$3,898,498. The FY 2024/25 budget for Other Expenses is \$293,250 more than what was budgeted in FY 2023/24. As fully detailed in the 2024/25 Final Budget, some of the line-items reflect decreases, such as work on the 2019 State Water Resources Control Board Order, SGMA Reimbursable Cost Shares, and water right proceedings on the Lower Santa Ynez River. On the other hand, expenses are projected to increase in connection with the newly adopted MCL for Chromium 6 (Cr6). FY 2024/25 reflects funding for professional services needed to update the District’s Cr6 Compliance Plan, treatment options and feasibility studies for wells that may be affected by the new MCL, additional well exploration storage studies and pilot testing of treatment technologies, and public outreach to District customers in relation to Cr6 regulation. Engineering expenses are also higher in FY 2024/25 due to the development of new Standard Details for the District, conducting an assessment of District infrastructure, and technical review associated with the 4.0 CFS well site, as well as an Upland Wells Exploration Study and Cachuma Project Delivery Study. Table 6 on the next page illustrates the distribution of costs for the Other Expenses and Special Studies categories.

Table 6



CAPITAL IMPROVEMENT PROJECTS (CIP)

Infrastructure planning and investment is critical to the ongoing reliability of the District’s water production and distribution system. In years past, the District’s CIP program was seriously compromised by shortfalls in operating revenues caused by outdated water rates and a multi-year suspension on the levy of a special tax assessment. Those shortfalls required incremental drawdowns of District reserves simply to meet annual operating expenses and debt service. Consequently, monies were not available to fund the CIP program, and needed capital improvements to the District’s aging water system were deferred.

However, when operating revenues are healthy and able to meet and exceed operating expenses, net revenues are available to fund the District’s Debt Service and Other Expenses (including Special Studies) and then contribute to building reserves and/or funding the CIP program. The CIP items include projects needed for replacements, betterments, upgrades, and repairs of the District water supply, production, and distribution system.

During FY 2023/24 certain CIP projects were not completed due to vendor scheduling delays, production and shipping delays, and inventory shortfalls for various parts and materials. As a result, they will be carried forward for completion in FY 2024/25. Projects that were not completed during FY 2023/24 are identified as “Rollforward Projects” below.

For FY 2024/25, a total of \$945,188 is budgeted for the CIP program. This amount is \$1,167,342 less than the \$2,112,530 CIP budget in FY 2023/24. Of particular note, the entire CIP program for FY 2024/25 will be funded from the District’s net revenues of \$2,888,748 (after funding Other Expenses and Special Studies) and will not require funding from District reserves.

Account 900332 (\$50,000) – District Building (Rollforward Project) – This account was originally budgeted to include a combination of a steel building to house a water treatment and control system for the District’s office wells, along with a garage bay for District equipment and needed expansion and upgrade of field crew quarters. The FY 2024/25 Final Budget includes funding to finalize architectural and engineering design modifications for a new District building to provide a District-designated Board Room, conference rooms, and various administrative and employee workspace.

900372 (\$40,200) – Office Computers, Furniture & Equipment (Partial Rollforward) – This account includes a partial rollforward project for the second phase of implementing a Laserfiche Enterprise Document Management System and new Accounts Payable system hardware, including five (5) desktop scanners for use by the Administrative staff (\$22,200). During FY 2023/24 the first phase of Laserfiche Document Management System was purchased and put in place to assist the transition of hard copy documentation to digitized format to assist with storage needs. The second phase will be implemented in FY 2024/25 which will modernize the business operations of the District and provide more efficiency through a workflow document approval and digitized storage process that is specific to the District’s accounts payable and financial functions.

Additional funds will be utilized to replace nine (9) office computers as part of the District’s routine computer replacement program. Costs include the purchase of equipment, software, and network set-up by the District’s IT vendor, which is estimated at \$18,000.

900318 (\$10,000) – Meter Replacement/Utility Billing (Partial Rollforward) – The Districtwide meter replacement program began in FY 2019/20. This multi-phase replacement program consists of purchasing and installing new meters to replace existing ones that have been in service for approximately 20 years and have diminished capabilities to provide accurate accounting of water use. During FY 2023/24, all District meters were replaced with the exception of one 8-inch agricultural meter, which was delayed due to shipping constraints from the vendor. Receipt of the meter is anticipated to occur in FY 2024/25. Once the meter is received and installed, the Meter Replacement Program will be 100% complete.

900371 (\$90,000) – Office Building/Shop Improvements – Expenditures under this account focus on enhancing exterior security measures at the District office. Approximately \$84,000 will be utilized to purchase and install iron fencing with a mechanically operated gate around the perimeter of the District yard that houses fleet and large equipment. This purchase is intended to function as a physical barrier, deterring unauthorized individuals from accessing the premises, as well as preventing vandalism and theft. The remaining \$6,000 will be utilized to purchase and install security cameras on the exterior of the District’s office and yard area to provide additional security measures and video to assist in providing evidence to law enforcement if issues arise.

900181 (\$1,000) – CAD/GIS – This account includes \$1,000 for equipment needs and/or software upgrades necessary to continue operation of the District’s GIS system that is used to maintain the District’s digital atlas.

900378 (\$10,000) – Major Tools, Shop & Garage Equipment – The budget of \$10,000 is for water quality instrumentation to boost operational efficiencies within the District.

900350 (\$35,000) – Upland Wells (Partial Rollforward Project) – The Motor Control Center (MCC) and electrical cabinet upgrade projects at Well Nos. 7 and 25 are nearing completion. Upgrades at Well No. 7 were postponed due to design specifications. The manufacturer is currently inspecting the cabinet and expects to deliver it to the District in the summer of 2024. Additionally, transfer switches for Wells Nos. 7 and 25 will be tested by the contractor in FY 2024/25 to complete the projects. The work associated with these two well sites are Rollforward Projects from FY 2023/24.

900200 (\$175,000) – Pump & Motor Replacement – Pumps and motors serve as indispensable components of the District’s infrastructure and are essential for water supply operations. Due to continuous usage and wear over time, these assets are subject to deterioration and eventual failure. Unforeseen breakdowns can disrupt operations, leading to downtime, increased maintenance costs, and decreased water supply reliability. Funds under this account will be utilized as situations arise that dictate replacement of failed pumps and/or motors that occur during the fiscal year.

900106 (\$55,000) – Rehabilitation/Replacement of Mains/Laterals/Valves – The District operates 1,350 valves within the system. Funds will be used for the replacement of mainline valves that are found to be broken or inoperable during the District’s valve maintenance program. Approximately \$30,000 will be appropriated to replace various sized valves and fix non-functioning valves at various locations within the District.

Additional funds (\$25,000) will be utilized for the replacement of five (5) fire hydrants within the District’s system.

900170 (\$15,000) – 6.0 CFS Well Field (Partial Rollforward Project) – Funds will be appropriated to outsource engineering services for ArcFlash analyses and labels for the motor control cabinets. The work associated with this site is a Rollforward Project from FY 2023/24.

900373 (\$150,000) – Fleet Vehicle Replacement – This account includes funds for the purchase of one new dump truck. This vehicle will replace an existing 37 year-old dump truck within the District’s fleet that has outlived its useful life and continues to have frequent repairs and maintenance issues. A newer model will be equipped with advanced technology and features that improve efficiency and productivity, including faster dumping mechanisms, increased hauling capacity, and improved maneuverability. This purchase will also enhance employee safety, decrease maintenance costs, and ensure regulatory compliance and reliability.

900171 (\$5,000) – 4.0 CFS Well Field (Partial Rollforward Project) – The MCC and electrical upgrades for this site will be completed in FY 2023/24. However, \$5,000 will be needed in FY 2024/25 for final testing of the new manual transfer switch for emergency generator use at the site.

900195 (\$5,000) – Refugio 2 Booster Pump Station (Partial Rollforward Project) – The MCC and electrical upgrades for this site will be completed in FY 2023/24. However, \$5,000 will be needed in FY 2024/25 for remaining electrical engineering support for record drawings and testing of a new manual transfer switch for emergency generator use at the site.

900196 (\$5,000) – Alamo Pintado Booster Pump Station (Partial Rollforward Project) – The MCC and electrical upgrades for this site will be completed in FY 2023/24. However, \$5,000 will be needed in FY 2024/25 for final testing of a new manual transfer switch for emergency generator use at the site.

900197 (\$134,188) – Refugio 3 Booster Pump Station (Partial Rollforward Project) – The MCC and electrical panel upgrades at the Refugio 3 Booster Pump Station site were postponed in FY 2023/24 due to design specifications. The manufacturer is inspecting the cabinet and is expected to deliver it to the District in the summer of 2024 (\$29,188). Additional funds will be utilized for Arc Flash safety labeling on the cabinet and record drawings (\$5,000). Approximately \$100,000 will be utilized in FY 2024/25 for materials, labor, consultant, and engineering costs associated with installing a new concrete vault and related piping at this site.

900198 (\$164,800) – Meadowlark Booster Pump Station (Partial Rollforward Projects) – Funds from this account will be utilized for four projects.

First is a rollforward project for the construction of an open-sided pole barn structure to house the District's large equipment, trailers, and materials to mitigate weather damage currently being incurred for lack of protective cover. Costs for this project are approximately \$25,000 and most of the construction work will be completed by the District's field team.

The second project is a rollforward project for the MCC cabinets at this site. Funds also will be spent on materials, support from the District's electrical engineering consultant, Arch Flash safety labeling on the cabinets, record drawings, and construction support (\$92,300).

The third project involves the installation of a new chlorine analyzer and associated SCADA equipment (\$17,500) at the Meadowlark Booster Pump Station that will transmit near real-time data for chlorine residual levels and performance at this location. This will provide the District's field team with an additional data point in optimizing operations of the water distribution system.

The fourth project involves installation of a pressure reducing/flow control valve (PRV), including a new 8-inch Cla-Valve and 8-inch meter (\$30,000). This project will enhance the capability of feeding water from Zone 2 to Zone 1, providing improved water quality and the ability to keep customers in service during an emergency and/or scheduled outage.

If additional CIP expenditures are needed, funding will come from the Repair and Replace and/or Plant Expansion Reserves. Alternatively, the projects could be deferred or re-prioritized.

FY 2024/25 FINAL BUDGET CONCLUSION

The FY 2024/25 Final Budget revenues of **\$13,257,340** are projected to be sufficient to meet total O&M expenses, G&A expenses, and Debt Service obligations of **\$9,358,842** with a net revenue balance of **\$3,898,498**. This net revenue balance of \$3,898,498 will be used to fund the \$1,009,750 of Other Expenses for special studies, engineering, design, legal, and consulting work to maintain protection and preservation of the District's water rights and to ensure

compliance with various regulatory orders and requirements applicable to the District's rights and water supply portfolio, including but not limited to state-mandated water quality standards and fishery protections applicable to the Cachuma Project in accordance with State Water Resources Control Board Orders and the federal Endangered Species Act. The remaining net revenue balance of **\$2,888,748** will be used to fully fund the District's FY 2024/25 CIP program as detailed above in the amount of **\$945,188**. The remaining net revenue balance of **\$1,943,560** will be added to the District's Reserves to assist with upcoming expenditures for Cr6 compliance.

RECOMMENDATION

That the Board of Trustees adopt Resolution No. 845 approving and adopting the Fiscal Year 2024/25 Final Budget and requesting the collection of an assessment levy of \$875,000 for Fiscal Year 2024/25.



Santa Ynez River Water Conservation District, Improvement District No.1
FINAL BUDGET FY 2024-25

REVENUE		FY 23/24	Budget	FY 23/24	9-Month Revenues	Projected Yr-End	Final Budget	FY24/25	Variance from
Account No.	Service & Sales	\$	\$	\$	\$	6/30/2024	\$	\$	2023/24 Budget
601000	Agriculture Water Sales & Meter Charges	\$	1,352,413	\$	784,716	\$	1,352,413	\$	-
602000	Domestic Water Sales & Meter Charges	\$	4,809,941	\$	3,706,712	\$	4,809,941	\$	-
602100	Rural Res/Lmt'd Ag Sales & Meter Charges	\$	2,486,242	\$	1,821,651	\$	2,486,242	\$	-
602200	Cachuma Park Water Sales	\$	19,575	\$	11,655	\$	19,575	\$	-
606000	Water Sales to City of Solvang	\$	77,553	\$	41,373	\$	77,553	\$	-
608000	Water Sales - On-Demand	\$	27,442	\$	10,531	\$	27,442	\$	-
611500	Fire Service Charges	\$	135,539	\$	105,337	\$	135,539	\$	-
604000	Temporary Water Sales	\$	20,175	\$	9,190	\$	20,175	\$	-
	Subtotal Water Sales	\$	8,928,880	\$	6,491,165	\$	8,928,880	\$	-
611100	New Services Fees	\$	40,000	\$	24,091	\$	40,000	\$	-
611200	Activation/Reconnection Fees	\$	15,000	\$	8,544	\$	15,000	\$	-
611900	New Fire Service Fees	\$	6,000	\$	-	\$	6,000	\$	-
612400	Penalties	\$	31,000	\$	15,442	\$	25,000	\$	(6,000)
	Subtotal Service	\$	92,000	\$	48,077	\$	86,000	\$	(6,000)
Assessments, Fees & Other Revenue									
627000-627200	Special Assessment	\$	875,000	\$	474,383	\$	875,000	\$	-
628000-630300	Interest Income	\$	350,000	\$	660,978	\$	937,500	\$	587,500
625200	Application Fees/Special Services	\$	13,000	\$	8,000	\$	13,000	\$	-
611600	Capital Facilities Charges	\$	70,000	\$	32,696	\$	75,000	\$	5,000
620006	Reimbursed Field Labor	\$	10,000	\$	2,532	\$	5,000	\$	(5,000)
620008	Reimbursed Admin. Labor	\$	1,000	\$	96	\$	500	\$	(500)
624000	Other Misc Revenues	\$	35,000	\$	31,708	\$	37,000	\$	2,000
634100	Insurance Claims	\$	2,000	\$	3,713	\$	2,000	\$	-
890100	Solvang SWP Payment	\$	2,143,283	\$	2,157,364	\$	2,297,460	\$	154,177
	Subtotal Assessment & Fees	\$	3,499,283	\$	3,371,470	\$	4,242,460	\$	743,177
	TOTAL	\$	12,520,163	\$	9,910,712	\$	13,257,340	\$	737,177

EXPENDITURES OPERATIONS & MAINTENANCE

Account No.	Source of Supply	FY 23/24			FY 23/24			Projected Yr-End			Variance from		
		FY 23/24	Budget 9-Month Expenditures	6/30/2024	Final Budget	FY24/25	2023/24 Budget	2023/24 Budget					
703000	Cachuma Project (USBR) Water Purchase	\$ 234,080	\$ 120,571	\$ 202,272	\$ 234,432	\$ 352							
703200	Cachuma Project Renewal/Environmental Fund	\$ 7,883	\$ 7,883	\$ 7,883	\$ 24,980	\$ 17,097							
704000	State Water Charge- District Payment	\$ 891,879	\$ 730,757	\$ 931,881	\$ 1,211,548	\$ 319,669							
860000	State Water Project - City of Solvang pymt	\$ 2,143,283	\$ 2,157,364	\$ 2,195,787	\$ 2,297,460	\$ 154,177							
705000	Ground Water Charges	\$ 50,000	\$ 22,020	\$ 32,020	\$ 50,000	\$ -							
706000	Cloudseeding Program	\$ 12,500	\$ -	\$ 11,000	\$ 12,500	\$ -							
707000	River Well Field Licenses (4.0cfs, 6.0cfs, Gallery)	\$ 21,090	\$ 21,090	\$ 21,090	\$ 23,000	\$ 2,000							
	Subtotal Source of Supply	\$ 3,360,625	\$ 3,059,685	\$ 3,401,933	\$ 3,853,920	\$ 493,295							
Infrastructure													
711000	Maintenance of Wells	\$ 50,000	\$ 31,694	\$ 39,618	\$ 50,000	\$ -							
712000	Maintenance of Mains	\$ 85,000	\$ 8,651	\$ 10,813	\$ 85,000	\$ -							
713000	Maintenance of Reservoirs	\$ 15,000	\$ 2,777	\$ 6,471	\$ 15,000	\$ -							
714000	Maintenance of Structures	\$ 5,000	\$ 40	\$ 340	\$ 5,000	\$ -							
	Subtotal Infrastructure	\$ 155,000	\$ 43,162	\$ 57,242	\$ 155,000	\$ -							
Pumping													
726000	Pumping Expense - Power	\$ 720,000	\$ 522,802	\$ 669,802	\$ 720,000	\$ -							
730000	Maintenance of Pump Structures/Stations/Equip	\$ 10,000	\$ 9,543	\$ 11,195	\$ 20,000	\$ 10,000							
732000	Maintenance of Equipment	\$ -	\$ -	\$ -	\$ -	\$ -							
	Subtotal Pumping	\$ 730,000	\$ 532,345	\$ 680,997	\$ 740,000	\$ 10,000							
Water Treatment													
744000	Chemicals	\$ 85,000	\$ 58,387	\$ 74,387	\$ 85,000	\$ -							
748000	Maintenance of Treatment Structures/Equipment	\$ 3,000	\$ 1,443	\$ 1,943	\$ 3,000	\$ -							
748100	Water Treatment/Sampling/Monitoring Equipment	\$ 5,000	\$ 7,425	\$ 7,525	\$ 7,000	\$ 2,000							
749000	Water Analysis	\$ 14,000	\$ 5,520	\$ 14,019	\$ 12,000	\$ (2,000)							
	Subtotal Water Treatment	\$ 107,000	\$ 72,775	\$ 97,874	\$ 107,000	\$ -							
Transmission & Distribution													
751000	Field Service Labor	\$ 752,950	\$ 585,919	\$ 761,694	\$ 773,317	\$ 20,367							
775000	PERS - Retirement	\$ 189,700	\$ 153,305	\$ 179,243	\$ 204,614	\$ 14,914							
775401	ACWA - Health Benefits	\$ 280,000	\$ 151,412	\$ 206,127	\$ 247,556	\$ (32,444)							
775201	ACWA - Delta Dental	\$ 14,600	\$ 11,290	\$ 13,591	\$ 13,059	\$ (1,541)							
775301	ACWA - Vision	\$ 1,700	\$ 1,239	\$ 1,652	\$ 1,518	\$ (182)							
775501	ACWA - Standard Life	\$ 2,810	\$ 2,866	\$ 3,824	\$ 3,227	\$ 417							
799500	Uniforms	\$ 22,000	\$ 15,527	\$ 19,408	\$ 22,000	\$ -							
752000	Work Materials & Supplies	\$ 10,000	\$ -	\$ 2,000	\$ 10,000	\$ -							
752100	Safety Equipment	\$ 4,000	\$ 3,090	\$ 3,590	\$ 4,000	\$ -							
753000	SCADA Maintenance	\$ 15,000	\$ 9,434	\$ 9,434	\$ 20,000	\$ 5,000							
754000	Small Tools	\$ 10,000	\$ 5,616	\$ 8,616	\$ 5,000	\$ (5,000)							
754100	Small Tool Repair	\$ 1,500	\$ 1,098	\$ 1,298	\$ 2,000	\$ 500							
755000	Transportation (Vehicle Maintenance/Fuel)	\$ 70,000	\$ 47,262	\$ 63,803	\$ 70,000	\$ -							
756000	Meter Service (New)	\$ 15,000	\$ 6,369	\$ 8,369	\$ 15,000	\$ -							
756100	Meter and Service Repair	\$ 12,000	\$ 6,263	\$ 7,763	\$ 12,000	\$ -							
757000	Road Contracts	\$ 2,800	\$ 2,239	\$ 2,239	\$ 2,800	\$ -							
758100	Meter Reading System (Sensus) (Neptune)	\$ 10,000	\$ 7,451	\$ 9,314	\$ 10,000	\$ -							
759000	Maintenance of Structures and Improvements	\$ 2,500	\$ 303	\$ 303	\$ 2,500	\$ -							
760000	Fire Hydrants Maintenance	\$ 2,000	\$ 62	\$ 362	\$ 1,000	\$ (1,000)							
761000	Back Flow Devices Testing	\$ 125	\$ -	\$ 125	\$ 125	\$ -							
762000	Backhoe/Generators Maintenance	\$ 10,000	\$ 13,404	\$ 15,016	\$ 10,000	\$ -							
	Subtotal Transmission & Distribution	\$ 1,428,685	\$ 1,024,149	\$ 1,317,771	\$ 1,429,716	\$ 1,031							
	TOTAL	\$ 5,781,310	\$ 4,732,116	\$ 5,555,817	\$ 6,285,636	\$ 504,326							

EXPENDITURES G&A

Account No.	General & Administrative	FY 23/24				Projected Yr-End 6/30/2024	Final Budget FY24/25	Variance from 2023/24 Budget
		FY 23/24	Budget 9-Month Expenditures	FY 23/24	Budget 9-Month Expenditures			
773000	Elections	\$ -	\$ -	\$ -	\$ -	\$ 20,000	\$ 20,000	
6560	Payroll/Accounting Expenses	\$ 2,100	\$ -	\$ 3,344	\$ 3,344	\$ 3,500	\$ 1,400	
774000	ACWA Workers Comp Ins	\$ 27,000	\$ 21,701	\$ 27,126	\$ 27,126	\$ 29,595	\$ 2,595	
775000	PERS - Retirement	\$ 259,800	\$ 208,323	\$ 251,629	\$ 251,629	\$ 266,613	\$ 6,813	
775400	ACWA - Health Benefits	\$ 294,900	\$ 147,118	\$ 183,898	\$ 183,898	\$ 296,306	\$ 1,406	
775200	ACWA - Delta Dental	\$ 20,100	\$ 9,452	\$ 11,816	\$ 11,816	\$ 20,317	\$ 217	
775300	ACWA - Vision	\$ 2,500	\$ 1,306	\$ 1,633	\$ 1,633	\$ 2,437	\$ (63)	
775500	ACWA - Standard Life	\$ 4,450	\$ 2,828	\$ 3,535	\$ 3,535	\$ 3,689	\$ (761)	
777100	Management & Administrative Salaries	\$ 1,533,200	\$ 875,894	\$ 1,138,662	\$ 1,138,662	\$ 1,575,167	\$ 41,967	
778000	Education, Training & Travel	\$ 20,000	\$ 10,979	\$ 14,273	\$ 14,273	\$ 20,000	\$ -	
779000	Dues & Subscription	\$ 39,200	\$ 35,590	\$ 39,149	\$ 39,149	\$ 39,200	\$ -	
780000	Office Maintenance	\$ 8,000	\$ 3,142	\$ 7,509	\$ 7,509	\$ 8,000	\$ -	
799525	Gardening Service	\$ 3,000	\$ 2,160	\$ 2,880	\$ 2,880	\$ 3,000	\$ -	
781000	Office Supplies	\$ 15,500	\$ 9,241	\$ 13,862	\$ 13,862	\$ 15,500	\$ -	
781100	Computer Supplies, Software, Training	\$ 6,000	\$ 4,841	\$ 5,326	\$ 5,326	\$ 6,000	\$ -	
782000	Postage & Printing	\$ 56,000	\$ 36,616	\$ 47,471	\$ 47,471	\$ 56,000	\$ -	
783000	Utilities	\$ 17,000	\$ 14,410	\$ 19,000	\$ 19,000	\$ 19,500	\$ 2,500	
784000	Telephone	\$ 20,000	\$ 14,962	\$ 19,762	\$ 19,762	\$ 20,000	\$ -	
785000	Services(USA, Website, Security, Answering Services)	\$ 21,000	\$ 16,857	\$ 19,737	\$ 19,737	\$ 21,000	\$ -	
785100	Government Fees (County, State, Local)	\$ 16,000	\$ 17,380	\$ 17,916	\$ 17,916	\$ 18,000	\$ 2,000	
786000	ACWA Liability Insurance	\$ 80,000	\$ 69,746	\$ 94,175	\$ 94,175	\$ 107,947	\$ 27,947	
787000	Payroll Taxes - Federal and State	\$ 153,000	\$ 101,310	\$ 135,080	\$ 135,080	\$ 179,659	\$ 26,659	
788000	Audit & Accounting	\$ 40,000	\$ 34,724	\$ 36,460	\$ 36,460	\$ 40,000	\$ -	
789000	Legal - General BHFS Stradling	\$ 55,000	\$ 49,150	\$ 65,533	\$ 65,533	\$ 55,000	\$ -	
		\$ 10,000	\$ 7,013	\$ 9,351	\$ 9,351	\$ 10,000	\$ -	
790000	Consulting - General/Professional	\$ 15,000	\$ 16,873	\$ 18,260	\$ 18,260	\$ 20,000	\$ 5,000	
791000	Consulting - Planning/Research	\$ 10,000	\$ 7,439	\$ 7,513	\$ 7,513	\$ 55,000	\$ 45,000	
792000	Customer Debt - Write Offs	\$ 1,500	\$ 284	\$ 284	\$ 284	\$ 1,500	\$ -	
793000	Office Equipment/Computer Service Contracts	\$ 50,000	\$ 41,331	\$ 44,329	\$ 44,329	\$ 58,300	\$ 8,300	
797000	Trustee Fees	\$ 29,000	\$ 20,247	\$ 23,247	\$ 23,247	\$ 29,000	\$ -	
799000	Processing Fees, Admin. Expenses, Medical Costs	\$ 40,000	\$ 34,691	\$ 46,691	\$ 46,691	\$ 43,000	\$ 3,000	
799600	Customer Refunds	\$ 1,000	\$ 2,744	\$ 2,944	\$ 2,944	\$ 3,000	\$ 2,000	
	Subtotal General & Administrative	\$ 2,850,250	\$ 1,818,352	\$ 2,312,395	\$ 2,312,395	\$ 3,046,230	\$ 195,980	
	TOTAL	\$ 2,850,250	\$ 1,818,352	\$ 2,312,395	\$ 2,312,395	\$ 3,046,230	\$ 195,980	

SUBTOTAL EXPENDITURES

G&A/O&M	FY 23/24				Projected Yr-End 6/30/2024	Final Budget FY24/25	Variance from 2023/24 Budget
	FY 23/24	Budget 9-Month Expenditures	FY 23/24	Budget 9-Month Expenditures			
TOTAL	\$ 8,631,560	\$ 6,550,468	\$ 7,868,212	\$ 7,868,212	\$ 9,331,866	\$ 700,306	

DEBT SERVICE

Account No.	Debt Service	FY 23/24	FY 23/24 Budget 9-Month Expenditures	FY 23/24 Projected Yr-End 6/30/2024	Final Budget FY24/25	Variance from 2023/24 Budget
717000	USBR SOD Repayment (Principal & Interest)	\$ 26,976	\$ 26,976	\$ 26,976	\$ 26,976	\$ -
	Subtotal Debt Service	\$ 26,976	\$ 26,976	\$ 26,976	\$ 26,976	\$ -
	TOTAL	\$ 26,976	\$ 26,976	\$ 26,976	\$ 26,976	\$ -

TOTAL OPERATING EXPENDITURES

FY 23/24	FY 23/24 Budget 9-Month Expenditures	FY 23/24 Projected Yr-End 6/30/2024	Final Budget FY24/25	Variance from 2023/24 Budget
\$ 8,658,536	\$ 6,577,444	\$ 7,895,188	\$ 9,358,842	\$ 700,306
G&A/O&M/DEBT SERVICE TOTAL				

SUBTOTAL REVENUE BALANCE

FY 23/24	FY 23/24 Budget 9-Month Expenditures	FY 23/24 Projected Yr-End 6/30/2024	Final Budget FY24/25	Variance from 2023/24 Budget
\$ 3,861,627	\$ 3,333,268	\$ 4,986,793	\$ 3,898,498	\$ 36,871
OPERATING REVENUES LESS OPERATING EXPENDITURES				

OTHER EXPENSES

Account No.	FY 23/24	Budget 9-Month Expenditures	FY 23/24	Projected Yr-End 6/30/2024	Final Budget FY24/25	Variance from 2023/24 Budget
Special Studies/Programs						
Fisheries Program						
825800	\$	60,000	\$	52,117	\$	\$
825401	\$	50,000	\$	11,907	\$	\$
800201	\$	40,000	\$	11,182	\$	\$
826101	\$	15,000	\$	8,044	\$	\$ (5,000)
826201	\$	10,000	\$	-	\$	\$ (2,500)
825402	\$	-	\$	287	\$	\$
800101	\$	-	\$	1,377	\$	\$
Special Programs						
825500	\$	-	\$	-	\$	\$ 1,500
825601	\$	1,500	\$	639	\$	\$ (750)
825600	\$	5,000	\$	4,204	\$	\$
	\$	181,500	\$	91,470	\$	\$ (6,750)
Subtotal Studies/Programs						
Legal & Engineering Services						
800202	\$	35,000	\$	430	\$	\$ (20,000)
800205	\$	60,000	\$	41,486	\$	\$ (15,000)
800500	\$	35,000	\$	1,947	\$	\$ 15,000
800301	\$	15,000	\$	7,706	\$	\$ 35,000
800300	\$	20,000	\$	5,609	\$	\$ 30,000
800102	\$	10,000	\$	345	\$	\$ 70,000
800103	\$	100,000	\$	115,181	\$	\$ -
	\$	50,000	\$	22,439	\$	\$ (40,000)
	\$	325,000	\$	195,143	\$	\$ 75,000
Subtotal Legal/Engineering						
Non Recurring Expenses/Projects						
826000	\$	30,000	\$	5,000	\$	\$ 210,000
825700	\$	75,000	\$	-	\$	\$ -
850500	\$	15,000	\$	6,856	\$	\$ (5,000)
800203	\$	50,000	\$	210,790	\$	\$ (25,000)
800204	\$	30,000	\$	26,398	\$	\$ (20,000)
825900	\$	10,000	\$	12,437	\$	\$ 65,000
	\$	210,000	\$	249,044	\$	\$ 225,000
	\$	716,500	\$	535,657	\$	\$ 293,250
Subtotal Non-Annual						
	\$	458,325	\$	535,657	\$	\$ 293,250
TOTAL						

TOTAL OTHER EXPENSES

FY 23/24	Budget 9-Month Expenditures	Projected Yr-End 6/30/2024	Final Budget FY24/25	Variance from 2023/24 Budget
\$	\$ 716,500	\$ 535,657	\$ 1,009,750	\$ 293,250

BUDGET BALANCE

	FY 23/24	Budget	FY 23/24 9-Month Actual	Projected Yr-End 6/30/2024	Final Budget	FY24/25	Variance from 2023/24 Budget	
TOTAL REVENUES	\$	12,520,163	\$	9,910,712	\$	13,257,340	\$	737,177
TOTAL O&M EXPENDITURES	\$	(5,781,310)	\$	(4,732,116)	\$	(6,285,636)	\$	504,326
TOTAL G&A EXPENDITURES	\$	(2,850,250)	\$	(1,818,352)	\$	(3,046,230)	\$	195,980
TOTAL DEBT SERVICE	\$	(26,976)	\$	(26,976)	\$	(26,976)	\$	-
Subtotal Revenue Balance	\$	3,861,627	\$	3,333,268	\$	3,898,498	\$	36,871
TOTAL Other Expenses (Spec Study/Legal/Eng/NARES)	\$	(716,500)	\$	(458,325)	\$	(1,009,750)	\$	293,250
Sub Total Balance	\$	3,145,127	\$	2,874,943	\$	2,888,748	\$	(256,379)
Budget Balance	\$	3,145,127	\$	2,874,943	\$	2,888,748	\$	-

CAPITAL IMPROVEMENT PROJECTS

Account No.	Plant Expansion	FY 23/24	Budget 9-Month Expenditures	Projected Yr-End 6/30/2024	Final Budget FY24/25	Variance from 2023/24 Budget
900332	District Building	\$ 125,000	\$ -	\$ -	\$ 50,000	\$ (75,000)
900333	Cr6 Water Treatment Facilities	\$ 285,000	\$ -	\$ -	\$ -	\$ (285,000)
900372	Office Computers, Furniture & Equipment	\$ 36,500	\$ 19,732	\$ 24,232	\$ 40,200	\$ 3,700
900318	Meter Replacement/Utility Billing	\$ 151,800	\$ 89,760	\$ 103,009	\$ 10,000	\$ (141,800)
900371	Office Bldg/Shop Improvements	\$ 26,000	\$ 10,298	\$ 21,298	\$ 90,000	\$ 64,000
900376	Communication/Telemetry Equipment (SCADA)	\$ -	\$ -	\$ -	\$ -	\$ -
900181	ESRI CAD-GIS System; Equipment	\$ 1,000	\$ -	\$ -	\$ 1,000	\$ -
900378	Major Tools, Shop & Garage Equipment	\$ 102,230	\$ 102,230	\$ 102,230	\$ 10,000	\$ (92,230)
900350	Uplands Wells	\$ 328,200	\$ 323,703	\$ 325,703	\$ 35,000	\$ (293,200)
	Subtotal Plant Expansion Projects	\$ 1,055,730	\$ 545,723	\$ 576,472	\$ 236,200	\$ (819,530)
	Repair & Replace					
900200	Pumps & Motor Replacement	\$ -	\$ -	\$ -	\$ 175,000	\$ 175,000
900106	Rehab/Replace/New-Trans. Mains/Laterals/Valves	\$ 134,400	\$ 79,762	\$ 87,738	\$ 55,000	\$ (79,400)
900170	6.0 CFS Well Field	\$ 219,200	\$ 198,078	\$ 200,078	\$ 15,000	\$ (204,200)
900335	SWP Pump Station/Pipeline	\$ -	\$ -	\$ -	\$ -	\$ -
900373	Fleet Vehicle Addition & Replacement	\$ 55,000	\$ 67,986	\$ 67,986	\$ 150,000	\$ 95,000
900171	4.0 CFS Well Field	\$ 70,400	\$ 54,503	\$ 54,503	\$ 5,000	\$ (65,400)
900195	Refugio 2 BPS	\$ 44,400	\$ 45,776	\$ 47,776	\$ 5,000	\$ (39,400)
900196	Alamo Pintado BPS	\$ 164,700	\$ 141,141	\$ 141,141	\$ 5,000	\$ (159,700)
900197	Refugio 3 BPS	\$ 59,900	\$ 119,515	\$ 123,515	\$ 134,188	\$ 74,288
900198	Meadowmark BPS	\$ 308,800	\$ 198,600	\$ 198,600	\$ 164,800	\$ (144,000)
900102	Zone 1, 2, 3 Reservoirs	\$ -	\$ -	\$ -	\$ -	\$ -
	Subtotal Repair & Replace Projects	\$ 1,056,800	\$ 905,361	\$ 921,337	\$ 708,988	\$ (347,812)
	Grand Total Capital Improvement Projects	\$ 2,112,530	\$ 1,451,084	\$ 1,497,809	\$ 945,188	\$ (1,167,342)

TOTAL CAPITAL IMPROVEMENT PROJECTS

Account No.	Plant Expansion	FY 23/24	Budget 9-Month Expenditures	Projected Yr-End 6/30/2024	Final Budget FY24/25	Variance from 2023/24 Budget
	TOTAL	\$ 2,112,530	\$ 1,451,084	\$ 1,497,809	\$ 945,188	\$ (1,167,342)

RESERVE BALANCE

Account No.	FY 23/24	Budget	FY 23/24 9-Month Actual	Projected Yr-End 6/30/2024	Final Budget FY24/25	Variance from 2023/24 Budget
DISBURSEMENT OF REMAINING BUDGET BALANCE						
271800	\$	3,145,127	\$ 2,874,943	\$ 4,451,136	\$ 2,888,748	\$ (256,379)
272000	\$	(1,056,800)	\$ (905,361)	\$ (921,337)	\$ (708,988)	\$ (347,812)
	\$	(1,055,730)	\$ (545,723)	\$ (576,472)	\$ (236,200)	\$ (819,530)
	\$	(2,112,530)	\$ (1,451,084)	\$ (1,497,809)	\$ (945,188)	\$ (1,167,342)
	\$	1,032,597	\$ 1,423,858	\$ 2,953,326	\$ 1,943,560	

TOTAL BUDGET

FY 23/24	Budget	FY 23/24 9-Month Actual	Projected Yr-End 6/30/2024	Final Budget FY24/25	Variance from 2023/24 Budget
\$	12,520,163	\$ 9,910,712	\$ 12,881,981	\$ 13,257,340	\$ 737,177

**A RESOLUTION OF THE BOARD OF TRUSTEES
OF THE SANTA YNEZ RIVER WATER CONSERVATION DISTRICT
IMPROVEMENT DISTRICT NO.1
ADOPTING THE FINAL BUDGET FOR FISCAL YEAR 2024/2025
AND REQUESTING AN ASSESSMENT LEVY REQUIRED TO COLLECT \$875,000**

BE IT HEREBY RESOLVED, by the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 ("District"), Santa Barbara County, California, that:

WHEREAS, on January 5, 1960 a Special Election was held and voters approved a contract with the United States Bureau of Reclamation, Contract No. 14-06-200-8253 ("Contract"), for the purpose of providing an adequate system of water supply, storage and distribution facilities, mains and appurtenances, and lands and easements necessary presently and prospectively for the Santa Ynez River Water Conservation District, Improvement District No.1, and its inhabitants; and

WHEREAS, Article 18(b) of the Contract requires the District to cause to be levied ad valorem taxes and assessments to fulfill its obligations; and

WHEREAS, the District continues to incur and pay the costs of the continuing operations, maintenance, repair, replacement, and betterment of the project works; and

WHEREAS, the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1, is required to forward to the Board of Supervisors and the County Auditor of the County of Santa Barbara an estimate, in writing, of the amount of ad valorem tax assessment money needed for the purposes of the District for the ensuing fiscal year July 1, 2024 to June 30, 2025, and any reserve funds; and

WHEREAS, in accordance with information published by the California Department of Finance, the appropriation limit of the Santa Ynez River Water Conservation District, Improvement District No.1 for fiscal year 2024/2025 is established at \$2,481,499 and the District adopted Resolution No. 844 on June 18, 2024 establishing said appropriation limit for fiscal year 2024/2025 pursuant to Government Code Section 7910; and

WHEREAS, notwithstanding the District's fiscal year 2024/2025 appropriation limit of \$2,481,499, and notwithstanding the financial projections from the District's 2016 Water Rate Study that the District would collect an assessment levy in the amount of \$875,000 in fiscal year 2017/2018, and \$1,000,000 in fiscal year 2018/2019, and \$1,125,000 in fiscal year 2019/2020, and \$1,250,000 in fiscal year 2020/2021, and \$1,250,000 in fiscal year 2021/2022, and \$1,250,000 in fiscal year 2022/2023, and \$1,250,000 in fiscal year 2023/2024, and \$1,250,000 in fiscal year 2024/2025, the District has limited its assessment amount to \$875,000 for fiscal years 2017/2018 through 2023/2024, and it has been determined that an assessment levy of \$875,000 for fiscal year 2024/2025 will provide sufficient funds to meet the needs of the District as stated above; and

WHEREAS, the Board of Trustees has considered a budget for the fiscal year 2024/2025.

BE IT HEREBY RESOLVED, by the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1, that the Secretary to the Board is hereby authorized and directed to forward to the Board of Supervisors and the County Auditor of the County of Santa Barbara, in writing, a request for an assessment levy of \$875,000 for the fiscal year 2024/2025; and

BE IT FURTHER RESOLVED that the Final Budget as set forth in Exhibit "A" attached hereto and incorporated by this reference is hereby approved and adopted for the fiscal year 2024/2025.

WE, THE UNDERSIGNED, being the duly qualified and acting 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 the 18th day of June 2024, by the following roll call vote:

AYES, and in favor thereof, Trustees:

NOES, Trustees:

ABSENT, Trustees:

Jeff Clay, President

ATTEST:

Mary Robel, Secretary to the Board of Trustees

RESOLUTION NO. 846

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE SANTA YNEZ RIVER WATER
CONSERVATION DISTRICT IMPROVEMENT DISTRICT NO. 1
APPROVING AN UPDATE TO ITS CONFLICT OF INTEREST CODE**

WHEREAS, the California Political Reform Act (Act), Government Code Section 81000 et seq., requires each state and local government agency to adopt and promulgate a Conflict of Interest Code; and

WHEREAS, the Fair Political Practices Commission has adopted a regulation, found at Section 18730 of Title 2 of the California Code of Regulations, which, in addition to certain provisions of the Act, contains the terms of a standard Conflict of Interest Code, which can be incorporated by reference in an agency's Conflict of Interest Code; and

WHEREAS, in 1977, the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 (District) enacted Resolution No. 162 adopting a Conflict of Interest Code, which has been amended from time to time by resolution and in accordance with applicable requirements, including Appendix "A" describing designated positions and Appendix "B" including categories of disclosure; and

WHEREAS, the Board of Trustees of the District desires to make certain amendments to its Conflict of Interest Code, last updated by District Resolution No. 801 on September 15, 2020.

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

1. The Board of Trustees hereby adopts an amended Conflict of Interest Code, incorporating by reference the terms of Section 18730 of Title 2 of the California Code of Regulations, and including Appendices A and B, a copy of which Conflict of Interest Code with Appendices is attached hereto, which shall be on file with the Board Secretary of the District and available to the public for inspection during regular business hours.
2. The provisions of the Conflict of Interest Code and amendments thereto previously adopted by the Board are superseded and repealed.
3. The Board Secretary is hereby authorized to forward a copy of this Resolution and the District's amended Conflict of Interest Code, along with other related information, to the Santa Barbara County Clerk of the Board of Supervisors.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

WE, THE UNDERSIGNED, being the duly qualified President and Secretary 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 June 18 , 2024 by the following roll call vote:

AYES, and in favor thereof, Trustees:

NOES, Trustees:

ABSENT, Trustees

Jeff Clay, President

ATTEST:

Mary Robel, Secretary to the Board

**CONFLICT OF INTEREST CODE FOR THE SANTA YNEZ RIVER WATER CONSERVATION
DISTRICT, IMPROVEMENT DISTRICT NO.1**

This Conflict of Interest Code, including Appendix A (designated officials and employees) and Appendix B (disclosure categories) attached hereto, is for the Santa Ynez River Water Conservation District, Improvement District No.1 (District). The California Political Reform Act (Act), Government Code Section 81000 et seq., requires state and local government agencies to adopt and promulgate conflict of interest codes. The agency may amend its conflict of interest code pursuant to provisions of the Act, including but not limited to Government Code Sections 87303 and 87306. The Fair Political Practices Commission has adopted a regulation, found at Section 18730 of Title 2 of the California Code of Regulations, which, in addition to provisions of the Act, contains the terms of a standard Conflict of Interest Code, which can be incorporated by reference into or as an agency's Conflict of Interest Code. Section 18730 may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. The terms of Section 18730 of Title 2 of the California Code of Regulations and any amendments thereto duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and substituted for the terms of the District's Conflict of Interest Code in effect prior to this Code.

Designated employees may file their statements online using eDisclosure, which will submit the Form 700 to the County Clerk, Recorder and Assessor. Statements will be made available for public inspection and reproduction in accordance with Government Code Section 81008. The District's filing official can provide access to this process.

Designated employees who file using a paper Form 700 shall file with the Code Agency (Santa Ynez River Water Conservation District, Improvement District No.1). Upon receipt of the Statement filed by the designated employee, a copy shall be retained with the Santa Ynez River Water Conservation District, Improvement District No.1 and the original shall be forwarded to the County Clerk, Recorder and Assessor.

Adopted this 18th day of June 2024.

Mary Robel
Secretary to the Board of Trustees

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT, IMPROVEMENT DISTRICT No.1
CONFLICT OF INTEREST CODE

APPENDIX A

DESIGNATED EMPLOYEES / POSITIONS

Persons occupying the following designated positions must disclose financial interests in those categories described in Appendix B which are listed opposite the respective designated positions.¹

Designated Positions	Disclosure Categories
Trustee	1-5
Treasurer	1-5
General Manager	1-5
Administrative and Financial Manager	1-5
General Counsel	1-5
Consultants ²	1-5

¹ Officials Who Manage Public Investments: The following positions manage public investments and shall file a Statement of Economic Interests pursuant to Government Code Section 87200: (1) Trustees; (2) Treasurer; (3) General Manager; and (4) Administrative and Financial Manager.

² Consultants are considered to be "designated employees." However, the General Manager may determine in writing that a particular consultant, although in a "designated position," performs a limited range of duties and should not be required to fully comply with the disclosure requirements described herein. Such written determination shall include a description of the consultant's duties and based upon that description, a statement of the extent of the disclosure requirements. The General Manager's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

**SANTA YNEZ RIVER WATER CONSERVATION DISTRICT, IMPROVEMENT DISTRICT No.1
CONFLICT OF INTEREST CODE**

APPENDIX B

CATEGORIES OF DISCLOSURE

CATEGORY 1

Interests in real property which are located within the jurisdiction of the District,¹ including any leasehold, beneficial or ownership interest or option to acquire such interest in real property.

CATEGORY 2

Business positions or investments in or income from persons or business entities engaged in the appraisal, acquisition, or disposal of, real property within the jurisdiction of the District.

CATEGORY 3

Business positions or investments in business entities, or income from any sources, if the business entities or sources of income are of the type which might provide services, supplies, materials, machinery, or equipment to or for the use of the District.

CATEGORY 4

Business positions or investments in business entities and income from any sources, if the business entities or sources of income are of the type which might contract with or sell to the District.

CATEGORY 5

Business positions or investments in business entities or income from any sources, if:

- a) The business entities or sources of income have filed a claim, or have a claim pending against the District; and
- b) The designated employee's duties involve the handling or processing of such claim.

¹ Real property is located within the jurisdiction of the District if any part of the property is located within or not more than two miles outside the boundaries of the District or within two miles of any land owned or used by the District.



2023 ANNUAL WATER QUALITY REPORT

(Consumer Confidence Report)

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

BOARD OF TRUSTEES:

Division 1	Mark Moniot
Division 2	Jeff Clay
Division 3	Nick Urton
Division 4	Michael Burchardi
At Large	Brad Joos

Office Location:

3622 Sagunto Street
Santa Ynez, CA 93460

Mailing Address:

P.O. Box 157
Santa Ynez, CA 93460

Phone No.: (805) 688-6015

Fax No.: (805) 688-3078

Website: www.syrwd.org

2023 ANNUAL WATER QUALITY REPORT

(Consumer Confidence Report)

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

To All District Customers:

This Annual Water Quality Report (AWQR) provides a summary of the water quality results from sampling of the District's water supply wells, distribution system, and State Water Project supplies for the 2023 calendar year. As a public water purveyor to the communities of Santa Ynez, Los Olivos, Ballard, the Santa Ynez Band of Chumash Indians, and the City of Solvang (wholesale), the District operates under a permit issued by the State Water Resources Control Board, Division of Drinking Water (DDW). Pursuant to its Water Supply Permit and California Safe Drinking Water regulations, the District routinely tests all of its water supplies obtained from wells according to a comprehensive list of potential contaminants and other constituents. State Water Project supplies received by the District are similarly tested by the Central Coast Water Authority (CCWA). The results of sampling and monitoring efforts for the 2023 calendar year are included in this report, along with additional information regarding your water supplies. Analytical data presented in this report represent the quality of the water delivered to you through your water service connection.

District Water Sources Used in 2023:

1) Groundwater – 16 supply wells

In 2023, the District operated seven (7) of its wells to produce groundwater from the Santa Ynez Upland groundwater basin. The Upland basin encompasses approximately 130 square miles within the Santa Ynez Valley east of Buellton. The District wells in the Upland basin range in depth from less than 500 feet to over 1,300 feet.

The District also operated nine (9) of its wells to produce water from the subsurface alluvial portion of the lower Santa Ynez River. The River alluvium is separated from the Upland basin by a barrier of impermeable rocks and soils. The District's River wells are constructed to a depth of approximately 70 feet or less.

2) Surface Water – State Water Project

Surface water served by the District comes from the State Water Project. The District's entitlement from the Cachuma Project is exchanged for an equal amount of State Water under an exchange agreement with water agencies on the south coast of Santa Barbara County. In addition to the exchanged Cachuma water, the District also receives State Water directly by entitlement through CCWA. Surface water from the California Aqueduct is treated at the Polonio Pass Water Treatment Plant in San Luis Obispo County prior to entering the 143 mile-long pipeline in route to the District's Mesa Verde Pumping Plant in Santa Ynez.

Drinking Water Source Assessments

The 1996 Amendments to the Federal Safe Drinking Water Act established the Drinking Water Source Assessment and Protection (DWSAP) Program to assess all sources of drinking water for vulnerability to contamination and to establish source protection programs. The District has evaluated each of its well locations in accordance with the program guidelines. According to the program, possible contaminating activities (PCAs) in the Upland basin and the River alluvium include septic systems, agricultural drainage, the application of agricultural chemicals, other wells (active and abandoned), upstream contaminant sources, and surface runoff from roads. For the 2023 reporting period, the only contaminant associated with these PCAs detected in any of the wells was nitrate (reported as NO₃-N). Nitrate was detected in six (6) Upland wells, with concentrations ranging from 1 to 5.5 parts per million (ppm). Annual monitoring of all active supply wells is required to ensure that nitrate concentrations remain below the 10 ppm Maximum Contaminant Level (MCL).

TERMS USED IN THIS REPORT:

Maximum Contaminant Level (MCL): The highest level of a contaminant that is allowed in drinking water. Primary MCLs are set as close to the PHGs or MCLGs (see below) as is economically and technologically feasible. Secondary MCLs are set to make drinking water aesthetically pleasing (i.e., protect the taste, odor, and appearance of the water).

Primary Drinking Water Standards (PDWS): MCLs for contaminants that potentially affect health along with their monitoring, reporting, and water treatment requirements.

Secondary Drinking Water Standards (SDWS): MCLs for contaminants that affect taste, odor, or appearance of drinking water. Contaminants with SDWSs do not affect health at the established MCL.

Maximum Residual Disinfectant Level Goal (MRDLG): The level of a disinfectant added for water treatment below which there is no known or expected risk to health. MRDLGs are set by the U.S. Environmental Protection Agency (USEPA).

Maximum Residual Disinfectant Level (MRDL): The level of a disinfectant added for water treatment that may not be exceeded in drinking water delivered to the customer.

Public Health Goal (PHG): The level of a contaminant in drinking water below which there is no known or expected risk to health. PHGs are set by the Office of Environmental Health and Hazard Assessment (OEHHA).

Maximum Contaminant Level Goal (MCLG): The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs are set by the U.S. Environmental Protection Agency.

Regulatory Action Level (AL): The concentration of a contaminant which, if exceeded, triggers treatment or other requirements which a water system must follow.

Detection Limit for the Purposes of Reporting (DLRs): The minimum concentration a certified laboratory must detect for a given analytical parameter to comply with State regulations.

Treatment Technique (TT): A required process intended to reduce the level of a contaminant in drinking water.

Potential Contaminants in Source Water

Federal regulation requires the following information to be included in this report. Because it is general information, it does not necessarily apply to the drinking water provided by the District. Information specific to your drinking water is found in the summary table on pages 3 and 4 below.

Generally, sources of tap water and bottled water include rivers, lakes, streams, ponds, reservoirs, springs, and groundwater supplies. As water travels over the surface of the land or through the ground, it dissolves naturally occurring minerals and, in some cases, radioactive material, and can pick up substances resulting from the presence of animals or from human activity. Contaminants that could be present in source water include the following:

- *Microbial contaminants*, such as viruses and bacteria that may come from sewage treatment plants, septic systems, agricultural livestock operations, and wildlife.
- *Inorganic contaminants*, such as salts and metals that can be naturally occurring or result from urban stormwater runoff, industrial or domestic wastewater discharges, oil and gas production, mining, or farming.
- *Pesticides and herbicides*, which may come from a variety of sources such as agriculture, urban stormwater runoff, and residential uses.
- *Organic chemical contaminants*, including synthetic and volatile organic chemicals that are byproducts of industrial processes and petroleum production, and can also come from gas stations, urban stormwater runoff, and septic systems.
- *Radioactive contaminants*, which can be naturally occurring, or be the result of oil and gas production or mining activities.

In order to ensure that tap water is safe to drink, the USEPA and DDW prescribe regulations that limit the amount of certain contaminants in water provided by public water systems. DDW regulations also establish limits for contaminants in bottled water that require the same level of protection for public health.

Analytical Results

The following summary table of analytical results lists the range and average concentrations of regulated contaminants (and other water quality constituents) that were detected during the most recently required sampling applicable to the 2023 reporting period for each source and constituent listed. The table also shows results of the District's required distribution system sampling. Chemicals not detected are not included in the report. DDW sampling requirements allow for source monitoring of certain contaminants less than once per year because the concentrations of these contaminants do not vary significantly from year to year. Therefore, some of the data listed in the table, though representative of the source water quality, are more than a year old.

2023 Annual Water Quality Report - Santa Ynez River Water Conservation District, ID No.1

SAMPLING RESULTS: PRIMARY AND SECONDARY STANDARDS

Parameter	Units	State MCL	PHG (MCLG)	State DLR	Drinking Water Source		Major Sources in Drinking Water
					Range Average	State Water	

PRIMARY STANDARDS--Mandatory Health-Related Standards

CLARITY

Combined Filter Effluent Turbidity ^a	NTU	TT=<1 NTU every 4 hours TT=95% of samples <0.3 NTU		Range	0.04 - 0.12	NA	Soil runoff
				%	100%	NA	

INORGANIC CHEMICALS

Arsenic	ppb	10	0.004	2	Range	ND	ND - 2.6	Erosion of natural deposits; orchard runoff; from glass/electronics production wastes
					Average	ND	0.4	
Chromium (Total)	ppb	50	(100)	10	Range	ND	ND - 20	Erosion of natural deposits; steel, pulp mills, and chrome plating wastes
					Average	ND	4.2	
Fluoride	ppm	2	1	0.1	Range	ND	ND - 0.33	Erosion of natural deposits; water additive for tooth health
					Average	ND	0.21	
Nitrate (as Nitrogen)	ppm	10	10	0.4	Range	ND	ND - 5.5	Runoff and leaching from fertilizer use; leaching from septic tanks and sewage; erosion of natural
					Average	ND	1.5	
Selenium	ppb	50	30	5	Range	ND	ND - 7.1	Runoff and leaching from fertilizer use; leaching from septic tanks and sewage; erosion of natural
					Average	ND	1.8	

RADIONUCLIDES

Gross Alpha ^b	pCi/L	15	NA	3	Range	ND	ND - 7.2	Erosion of natural deposits
					Average	ND	2.5	
Uranium ^c	pCi/L	20	0.5	1	Range	ND	1.6 - 5.6	Erosion of natural deposits
					Average	ND	3.5	

SECONDARY STANDARDS--Aesthetic Standards

Chloride	ppm	500	NA	-	Range	13 - 105	28 - 61	Runoff/leaching from natural deposits; seawater influence
					Average	48	36	
Color	ACU	15	NA	-	Range	ND	ND - 3	Naturally-occurring organic materials
					Average	ND	0.4	
Corrosivity (Aggressive Index) ^d	none	non-corrosive	NA	-	Range	11.2	11.7 - 12.7	Balance of hydrogen, carbon, & oxygen in water, affected by temperature & other factors
					Average	11.2	12.2	
Iron	ppb	300	NA	100	Range	ND	ND - 190	Leaching from natural deposits; industrial wastes
					Average	ND	16	
Odor Threshold	TON	3	NA	1	Range	ND	1 - 2	Naturally-occurring organic materials
					Average	ND	1	
Specific Conductance	µmho/cm	1600	NA	-	Range	152 - 611	780 - 1100	Substances that form ions when in water; seawater influence
					Average	381	925	
Sulfate	ppm	500	NA	0.5	Range	42	69 - 270	Runoff/leaching from natural deposits; industrial wastes
					Average	42	169	
Total Dissolved Solids (TDS)	ppm	1000	NA	-	Range	150	450 - 730	Runoff/leaching from natural deposits
					Average	150	584	
Lab Turbidity (ID No.1) Turbidity (State Water)	NTU	5	NA	-	Range	ND - 0.25	0.20 - 1.60	Soil erosion/runoff
					Average	0.06	0.60	
Zinc	ppb	5000	NA	50	Range	ND	ND - 100	Leaching from natural deposits; industrial wastes
					Average	ND	9	

ADDITIONAL PARAMETERS--Unregulated

Alkalinity (Total) as CaCO ₃ equivalents	ppm	NA	NA	-	Range	28 - 86	260 - 360	Runoff/leaching from natural deposits; seawater influence
					Average	54	295	
Boron	ppb	NA	NL=1,000	100	Range	NC	ND - 360	Runoff/leaching from natural deposits; wastewater, and fertilizers/pesticides
					Average	NC	180	
Calcium	ppm	NA	NA	-	Range	13.4	32 - 110	Runoff/leaching from natural deposits; seawater influence
					Average	13.4	73	
Chromium, Hexavalent ^e	ppb	NA	0.02	NA	Range	0.094	ND - 25	Discharges from industrial manufacturers; erosion of natural deposits
					Average	0.094	6.6	

2023 Annual Water Quality Report - Santa Ynez River Water Conservation District, ID No.1

Parameter	Units	State MCL	PHG (MCLG)	State DLR	Drinking Water Source		Major Sources in Drinking Water
					Range Average	State Water / Ground Water	

ADDITIONAL PARAMETERS--Unregulated

Geosmin	ng/L	NA	NA	(1)	Range Average	ND - 2 0.3	NC NC	An organic compound mainly produced by blue-green algae (cyanobacteria)
Hardness (Total) as CaCO ₃	ppm	NA	NA	-	Range Average	28 - 134 78	290 - 480 403	Leaching from natural deposits
Heterotrophic Plate Count ^f	CFU/mL	TT	NA	-	Range Average	0 - 29 2	NA NA	Naturally present in the environment
Magnesium	ppm	NA	NA	-	Range Average	5.75 5.75	42 - 90 53	Runoff/leaching from natural deposits; seawater influence
2-Methylisoborneol (MIB)	ng/L	NA	NA	NA	Range Average	ND - 8 2.8	NC NC	An organic compound mainly produced by blue-green algae (cyanobacteria)
pH	pH Units	NA	NA	-	Range Average	7.7 - 8.9 8.4	7.0 - 8.1 7.5	Runoff/leaching from natural deposits; seawater influence
Potassium	ppm	NA	NA	-	Range Average	2.2 2.2	1.9 - 2.7 2.3	Runoff/leaching from natural deposits; seawater influence
Sodium	ppm	NA	NA	-	Range Average	31 31	36 - 60 46	Runoff/leaching from natural deposits; seawater influence
Total Organic Carbon (TOC) ^g	ppm	TT	NA	0.30	Range Average	1 - 3.1 2.1	NA NA	Various natural and manmade sources
Vanadium	ppb	NA	NL=50	3	Range Average	NC NC	ND - 23 10	Leaching from natural deposits; industrial wastes

FEDERAL UNREGULATED CONTAMINANT MONITORING RULE^h--Detected

Lithium	ppb	NA	NA	-	Range Average	ND ND	ND - 62.2 28	Leaching from natural deposits
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Distribution System Water Quality

ORGANIC CHEMICALS

Total Trihalomethanes ⁱ	ppb	80	NA	NA	Range Highest LRAA	24 - 77 60.7	15 - 56.9 39.4	By-product of drinking water chlorination
Haloacetic Acids	ppb	60	NA	1,2 ^j	Range Highest LRAA	14 - 41 28.0	5.1 - 23 13.7	By-product of drinking water chlorination

DISINFECTION

Total chlorine residual CCWA Distribution	ppm	MRDL = 4.0	MRDLG = 4.0	-	Range Average	1.05 - 4.06 2.87	-	Measurement of the disinfectant used in the production of drinking water
Free/total chlorine residual ID No.1 Distribution	ppm	MRDL = 4.0	MRDLG = 4.0	-	Range Average	- -	0.03 - 3.20 1.63	Measurement of the disinfectant used in the production of drinking water

Abbreviations and Notes

Footnotes:

- (a) Turbidity (NTU) is a good indicator of the effectiveness of a filtration system. Monthly turbidity values for State Water are listed in the Secondary Standards section.
- (b) Gross alpha particle activity monitoring required every nine years for State Water; more frequent monitoring is required for some groundwater based on detected levels. Reported average and range are from most recent sampling of all supply wells.
- (c) Uranium monitoring is dependent on measured gross alpha particle activity.
- (d) The District's Water Supply Permit, issued by DDW, requires monitoring of the asbestos levels in the distribution system in the areas that contain asbestos cement pipes whenever the aggressive index (AI) of the water served to the public is below 11.5.
- (e) A proposed MCL of 10.0 ppb for Hexavalent Chromium will be considered by the State Water Board in calendar year 2024.
- (f) Pour plate technique – monthly averages.
- (g) TOCs are taken at the State Water treatment plant's combined filter effluent.
- (h) The US EPA collects nationally representative drinking water data to support future regulatory determinations and, as appropriate, the development of national primary drinking water regulations under the Safe Drinking Water Act.
- (i) Compliance based on the LRAA of distribution system samples. Values reported are the range of all 2023 sample results and highest locational running annual average.
- (j) Monochloroacetic Acid has a DLR of 2.0 ug/L while the other four Haloacetic Acids have DLR's of 1.0 ug/L.

Abbreviations

- ACU = Apparent Color Units
- CCWA = Central Coast Water Authority
- CFU/ml = Colony Forming Units per milliliter
- DLR = Detection Limit for the Purpose of Reporting
- ID No.1 = Santa Ynez River Water Conservation District, Improvement District No.1
- LRAA - Locational Running Annual Average
- NA = Not Applicable
- NC = Not Collected
- ND = Non-detect
- ng/L = nanograms per liter
- NL = Notification Level
- NTU = Nephelometric Turbidity Units
- pCi/L = PicoCuries per liter
- ppb = parts per billion, or micrograms per liter (µg/L)
- ppm = parts per million, or milligrams per liter (mg/L)
- SI = saturation index
- TON = Threshold Odor Number
- µmho/cm = micromhos per centimeter

Revised Total Coliform Rule (RTCR)

This Water Quality Report reflects recent changes in regulatory drinking water requirements. As of July 1, 2021 all water systems are required to comply with the State Revised Total Coliform Rule (RTCR), which adds the requirements of the federal RTCR (effective since April 1, 2016) to the State Total Coliform Rule (TCR). Like the TCR, the new RTCR maintains the purpose of protecting public health by ensuring the integrity of the drinking water distribution system and monitoring for the presence of microbials (i.e., total coliform and E. coli bacteria). Water systems that exceed a specified frequency of total coliform occurrences are required to conduct an assessment to determine if any sanitary defects exist. If found, these defects must be corrected by the water system. The USEPA anticipates greater public health protection as the RTCR requires water systems that are vulnerable to microbial contamination to identify and fix problems. District bacteriological monitoring in 2023 confirmed compliance with both the state and federal RTCR requirements. There were no MCL exceedances for total coliform or E. coli bacteria, as noted in the following table.

SAMPLING RESULTS: DISTRIBUTION SYSTEM MONITORING							
Microbiological Contaminants	No. of Samples Required ¹	No. of Samples Collected	Highest No. of Detections	No. of Months in Violation	MCL	MCLG	Typical Source of Bacteria
Total Coliform Bacteria	156	204	(In a month) 0	0	More than 1 sample in a month with a detection	0	Naturally present in the environment
Fecal Coliform or E. coli	156	204	(In a month) 0	0	A routine sample and a repeat sample detect total coliform and either sample also detects fecal coliform or E. coli	0	Human and animal fecal waste

2021 Lead & Copper ²	No. of samples collected	90 th percentile level detected	No. Sites exceeding AL	AL	MCLG	Typical Source of Contaminant
Lead (ppb) ³	20	ND	0	15	0.2	Internal corrosion of household water plumbing systems; discharges from industrial manufacturers; erosion of natural deposits
Copper (ppm)	20	0.120	0	1.3	0.3	Internal corrosion of household water plumbing systems; erosion of natural deposits; leaching from wood preservatives

Notes:

1. Three bacteriological samples per week are required based on the number of District service connections, as specified in the California Code of Regulations (CCR), Chapter 15, Title 22 (Domestic Water Quality and Monitoring). The District optionally monitors bacteria at a fourth location weekly to ensure representative sampling of the entire distribution system.
2. Sampling requirements are specified in the Lead and Copper Rule, CCR, Title 22 and are based on the population served. Samples are obtained from a representative sampling of customer's internal plumbing. Following initial sampling specified in CCR, Title 22, Chapter 17.5, representative sampling for lead and copper is required once every three years. The data summary displayed in the table above is from data obtained in August of 2021. The next scheduled sampling for lead and copper is in the summer of 2024.
3. In 2018, the District sampled for lead in both public and private school water systems within the District's service area. See "Additional Information Regarding your Drinking Water" in this report for more information.

EPA Safe Drinking Water Hotline

All drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that the water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the U.S. Environmental Protection Agency (USEPA) Safe Drinking Water Hotline (1-800-426-4791):

Surface Water Supply – The State Water Project

As indicated above, all surface water from the State Water Project that was used by the District in 2023 was obtained from the Central Coast Water Authority (CCWA), an agency formed in 1991 to finance, construct, and operate State Water treatment and delivery facilities on behalf of all Santa Barbara County participants in the State Water Project. Runoff from the northern Sierra Nevada watershed travels more than 500 miles through the rivers, pipelines, and aqueducts that make up the State Water Project before reaching the District's Mesa Verde Pumping Station. State Water is treated by CCWA at the Polonio Pass Water Treatment Plant (PPWTP), located in San Luis Obispo County. This 43-million-gallon per day facility was designed and constructed to treat all State Water served to San Luis Obispo and Santa Barbara Counties. CCWA conducts weekly testing of the treated State Water at numerous locations along its 143-mile pipeline. For more information about the treatment and delivery of State Water, please visit the CCWA website at www.ccwa.com.

As a reminder, State Water delivered to the District is disinfected with chloramines by CCWA as the final step in the raw water treatment process. **While chloramines do not pose a health hazard to the general population, they can be dangerous to people undergoing kidney dialysis unless the chloramines are reduced to acceptable levels.** Dialysis patients should already be aware of this concern and should take the proper precautions when receiving dialysis treatment. **Additionally, chloraminated water is toxic to fish.** Local pet stores and fish suppliers can be contacted regarding the necessary treatment of chloraminated water to ensure it is safe for fish.

Cross-Connection Control Program

As many of our residential, commercial, and agricultural customers know, the District requires the installation and maintenance of backflow prevention devices where an actual or potential cross-connection exists to protect and ensure safe water quality within our distribution system. District Resolution No. 482 establishes the District's Cross-Connection Control Program to ensure compliance with DDW regulatory requirements (17 CCR, Section 7584) and to prevent the contamination of water within our distribution system. For additional information regarding this program, please contact the District to receive a copy of our cross-connection control brochure or the District's Cross-Connection Control Policy.

Additional Information Regarding Your Drinking Water

Coronaviruses

Your Tap Water Remains Safe – The District's water supplies remain safe and reliable for drinking, hand washing, and all other purposes. All sources of the District's water supply are treated and disinfected to levels proven effective in eliminating viruses (such as Coronaviruses), bacteria, and other pathogens.

Hexavalent Chromium (Cr6)

Chromium is a naturally occurring metal present in ore deposits and rock types found in the nearby San Rafael Mountains, which make up a large portion of the Upland basin area that recharges the District's Upland groundwater wells. As a result, chromium (including Cr6) is present in some of the District's Upland basin wells. On July 1, 2014, the State of California enacted a new MCL for Cr6 in drinking water of 10 ppb, previously regulated under the Total Chromium MCL of 50 ppb. The MCL was later withdrawn on September 11, 2017, pending further evaluation by the State Water Resources Control Board (SWRCB). In June of 2023, the SWRCB released an administrative draft Cr6 MCL of 10 ppb. As part of the proposed regulatory revisions, small water systems such as the District would have a 3-year compliance schedule once the official rulemaking process is complete.

Risks of Lead in Drinking Water

Elevated levels of lead can cause serious health problems, especially for pregnant women and young children. A primary cause for lead in drinking water is from materials and components associated with old service lines and home plumbing that contain lead. In 2018, the District conducted a survey of all water service lines within its distribution system and concluded that no lead service lines were ever installed or used by the District. The District is responsible for providing high quality drinking water but cannot control the variety of materials used in plumbing components in your home that are not owned or installed by the District. According to DDW, when your water has been sitting for several hours, you can minimize the potential for lead exposure by flushing your tap for 30 seconds to 2 minutes before using water for drinking or cooking. If you are concerned about lead in your water, you may wish to have your water

tested. Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available from the USEPA Safe Drinking Water Hotline (1-800-426-4791) or at <http://www.epa.gov/lead>.

Lead in Schools

Amendments to the California Health and Safety Code in October 2017 required community water systems to perform lead testing within their service area boundaries at all public school sites (kindergarten – 12th grade) constructed prior to January 1, 2010. All testing results were required to be reported to the State by July 1, 2019. In the spring of 2018, the District contacted all public and private schools within the District's service area to offer lead testing of the potable water sources (e.g., faucets, drinking fountains, cooking facilities) on each of the school sites. All of the public schools and nearly all of the private schools within the District's service area participated in the Lead Testing Program. All sampling of participating school sites was completed and reported to the State in the fall of 2018. Analytical results for all lead testing conducted in both public and private school water systems were below the Action Level (AL) of 15 ppb. All results were reported directly to the schools and the California State Water Resources Control Board.

Recommendation for Customers with Special Water Needs

Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno-compromised individuals such as those with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, and some elderly and infants can be particularly at risk from infections. These people should seek advice from their health care providers regarding the potential risks of drinking water supplies. USEPA/Centers for Disease Control (CDC) guidelines on ways to lessen the risk of infection by *Cryptosporidium* and other microbial contaminants are available from the USEPA Safe Drinking Water Hotline, as referenced above.

Annual Water Quality Report (AWQR) – Electronic Delivery

Similar to last year, this 2023 AWQR is available electronically on the District's website, which minimizes printing and mailing costs, and reduces paper consumption. Hard copies of the AWQR are available at the District office and will be mailed or emailed upon request.

Attention Landlords and Other Property Managers

We recommend that landlords and other property managers provide this report to tenants and display the report in a public location such as a lobby, laundry room, or community room. If you would like to receive additional copies of this report, please contact the District office at (805) 688-6015.

Public Participation

If you are interested in learning more about your water supply, District customers and other members of the public are invited to attend the regularly scheduled meetings of the Board of Trustees on the **third Tuesday of each month, at 3:00 p.m.** Meetings are typically held at the Santa Ynez Community Services District Conference Room, 1070 Faraday Street, Santa Ynez. For more information, please contact the District office at (805) 688-6015 or visit the District's web site at www.syrwd.org.

The District appreciates this opportunity to communicate our efforts in delivering reliable, high quality drinking water to District customers. We are interested in any questions or suggestions you may have pertaining to this report or any other water quality issues. For additional information, please contact Daniel Drugan, Water Resources Manager, at (805) 688-6015.

Our Mission Statement: *To provide the residential and agricultural customers in the Santa Ynez River Water Conservation District, Improvement District No.1 service area with a reasonably priced, reliable, high quality water supply, and efficient and economical public services.*

Information in Spanish

Este informe contiene información muy importante sobre su agua para beber. Favor de comunicarse con Santa Ynez River Water Conservation District, ID No. 1 al numero de telefono (805) 688-6015 para asistirlo en español.

STAFF MEMORANDUM

TO: EMA GSA Committee Members
FROM: Member Agency Staffs
DATE: May 23, 2024
RE: Agenda Item 8; Status of EMA Draft Joint Powers Agency Agreement

In 2017, the City of Solvang (“City”), the Santa Ynez River Water Conservation District-Improvement District No.1 (“ID No.1”), the Santa Ynez River Water Conservation District (“SYRWCD”) and the Santa Barbara County Water Agency (“County Water Agency”) formed the Eastern Management Area Groundwater Sustainability Agency (“EMA GSA”) under a Memorandum of Agreement (“MOA”) to comply with the Sustainable Groundwater Management Act (“SGMA”).

For approximately two years, the EMA GSA members have been meeting to negotiate a Joint Powers Authority (“JPA”) Agreement to replace the existing MOA structure. The newly formed JPA will serve as the EMA GSA to implement the Groundwater Sustainability Plan (“GSP”) for the EMA and carry out all applicable requirements and authorities of SGMA in the EMA. Through extensive and collaborative efforts, the parties have finalized a Draft JPA Agreement. Without limitation, the core features of the Agreement are as follows:

Signatory Parties

Public agency members will be the signatory parties to the JPA Agreement. Those parties include the City, ID No.1, SYRWCD, and the County Water Agency.

Board of Directors and New Agricultural Director

The Board of Directors of the JPA will include five (5) Directors. Each public agency member will appoint one of its elected officials as a Director. Additionally, an Agricultural Director will be appointed by the Directors from the public agency members. Inclusion of an Agricultural Director on the JPA Board is intended to ensure that agricultural stakeholders are directly involved in all facets of the decision-making process regarding SGMA implementation in the EMA.

Appointment of the Agricultural Director requires a unanimous vote of the four Directors from the public agencies. To qualify for the Agricultural Director position, candidates must be a resident and registered voter within the boundaries of the EMA; be an owner or representative of an owner of real property within the EMA engaging in Commercial Agriculture; and cannot be engaged in pending litigation against the EMA GSA, as specified.

The Santa Ynez Water Group, a local agricultural non-profit organization representing a substantial portion of the irrigated agricultural lands in the EMA, would conduct an open public application, vetting, and nomination process involving, among other steps, coordination with other agricultural groups, newspaper publication, and open public meeting discussion and deliberation.

As mentioned, any nominee put forward by the Santa Ynez Water Group would require unanimous approval by the four member agency Directors. Importantly, the Agricultural Director shall be subject to the same conflict of interest laws, Brown Act requirements, and other ethics standards that apply to the public agency member Directors.

Voting Structure

The JPA Agreement provides an equal voting structure where each Director casts one vote. Major decisions of the JPA Board, such as GSA budget adoption, GSP updates, imposition of pumping charges or fees, and adoption of ordinances and bylaws, will require a “supermajority” vote of 4/5 of the JPA Directors. Other decisions not subject to the supermajority requirement will be based on a simple majority vote of 3/5 of the Directors.

Initial Cost Contributions

The JPA Agreement includes a mechanism for the public agency members to provide financial contributions to the EMA GSA to help fund various staffing, administration, SGMA implementation, and other start-up costs of the GSA. The JPA Agreement provides that the GSA is required to reimburse such financial contributions back to the public agency members within a specified time period, which may be extended by the contributing members.

The Draft JPA Agreement as described herein is included as Attachment A. The JPA Agreement would become effective only after the governing body of each public agency member approves and executes the Agreement.

**JOINT EXERCISE OF POWERS AGREEMENT
SANTA YNEZ RIVER VALLEY BASIN EASTERN MANAGEMENT AREA
GROUNDWATER SUSTAINABILITY AGENCY**

This Joint Exercise of Powers Agreement ("Agreement") is made and entered into by and between the City of Solvang ("Solvang"); the Santa Barbara County Water Agency ("Santa Barbara"); the Santa Ynez River Water Conservation District ("SYRWCD"); and the Santa Ynez River Water Conservation District, Improvement District No.1 ("ID No.1"), also each referred to individually as "Member" and collectively as "Members," for the purposes of forming a joint powers agency to serve as the Groundwater Sustainability Agency for the Eastern Management Area of the Santa Ynez River Valley Groundwater Basin. This joint powers agency shall hereinafter be known as the Santa Ynez River Valley Groundwater Basin Eastern Management Area Groundwater Sustainability Agency ("EMA GSA" or "GSA").

RECITALS

A. WHEREAS, the Sustainable Groundwater Management Act of 2014 ("SGMA"), including but not limited to Water Code section 10720 et seq., requires the formation of groundwater sustainability agencies by June 30, 2017 to manage medium and high priority groundwater basins throughout the state through the adoption and implementation of groundwater sustainability plans ("GSPs"), where GSPs for high and medium priority basins that are not subject to conditions of critical overdraft must be adopted by January 31, 2022; and

B. WHEREAS, the Santa Ynez River Valley Groundwater Basin (also referred to as the "Santa Ynez Groundwater Basin" or "Basin"), as identified and defined by the California Department of Water Resources ("DWR") in Bulletin 118 (as Basin 3-15), has been designated by DWR as a medium priority basin; and

C. WHEREAS, Bulletin 118 describes the Basin as being in three portions, that being the eastern, central, and western. The western portion consists of the Lompoc Plain, Lompoc Terrace, and Lompoc Uplands; the central portion consists of the Buellton Uplands, and the eastern portion consists of the Santa Ynez Uplands. For the purpose of implementing SGMA, each portion of the Basin as described by DWR has been designated as a separate "Management Area" as authorized by SGMA, where the three Management Areas cover the entire Basin defined by Bulletin 118; and

D. WHEREAS, the map attached hereto as Exhibit A depicts the boundaries of the three Management Areas of the Basin; and

E. WHEREAS, in 2016, local public agencies eligible to form a GSA or GSAs in the Basin determined that a separate GSA would be formed for each Management Area of the Basin (see Memorandum of Understanding for Implementation of the Sustainable Groundwater Management Act in the Santa Ynez River Valley Groundwater

Basin, dated May 23, 2016); and

F. WHEREAS, effective April 27, 2017 the Members entered into a "Memorandum of Agreement for Formation of a Groundwater Sustainability Agency for the Eastern Management Area in the Santa Ynez Valley Groundwater Basin under the Sustainable Groundwater Management Act" ("2017 MOA"), which established the Members as the participating agencies of the EMA GSA created by the 2017 MOA; and

G. WHEREAS, pursuant to separate Memoranda of Agreement, the local public agencies in the Western Management Area ("WMA") and the Central Management Area ("CMA") of the Basin, respectively, formed a WMA GSA and a CMA GSA in the Basin; and

H. WHEREAS, effective February 26, 2020, the local public agencies participating in the EMA GSA, the WMA GSA, and the CMA GSA entered into the Intra-Basin Administrative Agreement for Implementation of the Sustainable Groundwater Management Act in the Santa Ynez River Valley Groundwater Basin; and

I. WHEREAS, in accordance with Water Code section 10727.6 and California Code of Regulations, title 23, section 357.4, the EMA GSA, the WMA GSA, and the CMA GSA entered into the Santa Ynez River Valley Groundwater Basin Coordination Agreement, effective January 1, 2022; and

J. WHEREAS, the EMA GSA formed under the 2017 MOA has already developed, adopted, and submitted a Groundwater Sustainability Plan ("GSP") for the EMA to DWR as required by SGMA, and DWR approved the EMA GSP in January 2024; and

K. WHEREAS, each of the Members is duly organized and existing under the laws of the State of California and is a local agency qualified to become or form a GSA under SGMA for the Eastern Management Area of the Basin; and

L. WHEREAS, pursuant to SGMA, specifically Water Code section 10723.6, and the Joint Exercise of Powers Act, Government Code section 6500 et seq., the Members are authorized to create a joint powers agency to jointly exercise any power common to the Members together with such powers as are expressly set forth in the Joint Exercise of Powers Act and in SGMA upon successfully becoming a GSA for the Eastern Management Area of the Santa Ynez River Valley Groundwater Basin; and

M. WHEREAS, consistent with Paragraph 4 of the 2017 MOA, the Members are interested in reforming the existing EMA GSA established under the 2017 MOA as a separate entity under the Joint Exercise of Powers Act in order to implement the EMA GSP under SGMA; and

N. WHEREAS, pursuant to this Agreement the Members desire to create a joint powers authority to sustainably manage the Eastern Management Area of the Santa

Ynez River Valley Groundwater Basin as required by SGMA.

O. WHEREAS, each of the signatories to this Agreement is a public agency operating independently of the joint powers authority formed by this Agreement and, notwithstanding its approval of this Agreement, each signatory reserves and does not waive any rights regarding the scope and extent of its individual authorities and powers under its enabling act or other applicable law.

NOW, THEREFORE, in consideration of the terms, conditions, and covenants contained herein, the Members hereby agree as follows:

ARTICLE 1 INCORPORATION OF RECITALS

1.1 The foregoing recitals are true and correct and are incorporated herein by reference.

ARTICLE 2 DEFINITIONS

The following terms shall have the following meanings for purposes of this Agreement:

2.1 "Agreement" means this Joint Exercise of Powers Agreement forming the Santa Ynez River Valley Groundwater Basin Eastern Management Area Groundwater Sustainability Agency.

2.2 "Basin" means the Santa Ynez River Valley Groundwater Basin, as identified and defined by DWR in Bulletin 118 (as Basin 3-15) as of the Effective Date of this Agreement or as modified pursuant to Water Code section 10722.2.

2.3 "Bulletin 118" means DWR's report entitled "California Groundwater: Bulletin 118" updated in 2016 and 2020, and as it may be subsequently updated or revised in accordance with Water Code section 12924.

2.4 "Board of Directors" or "Board" means the governing body of the EMA GSA as established by Article 7 of this Agreement.

2.5 "EMA" means the Eastern Management Area of the Basin, as defined and depicted in the GSP for the EMA, as may be amended from time to time pursuant to SGMA.

2.6 "EMA GSA" or "GSA" means the Santa Ynez River Valley Groundwater Basin Eastern Management Area Groundwater Sustainability Agency, formed as a

separate joint powers authority through this Agreement.

2.7 "Director(s)" and "Alternate Director(s)" means a Director or Alternate Director appointed by a Member or appointed by the Directors representing the Members pursuant to Article 7 of this Agreement.

2.8 "DWR" means the California Department of Water Resources.

2.9 "Executive Director" means an individual or entity hired by the EMA GSA as an employee or by contract, who under the title of Executive Director, General Manager, Manager, Administrator, or similar designation carries out discretionary functions and duties for, on behalf of, and/or subject to the direction of the EMA GSA Board of Directors, which functions and duties are managerial in nature, including but not limited to day-to-day executive, operational, and administrative activities of the GSA.

2.10 "GSP" means a Groundwater Sustainability Plan, as defined by SGMA in Water Code section 10727 et seq.

2.11 "Joint Exercise of Powers Act" means Government Code section 6500 et seq., as may be amended from time to time.

2.12 "Member" or "Members" means an entity or the entities authorized by SGMA and other applicable law to participate in the EMA GSA as formed by this Agreement and included in Article 6.1 of this Agreement, or any entity that becomes a new Member of the EMA GSA pursuant to Article 6.2 of this Agreement.

2.13 "Officer(s)" means the Chair, Vice Chair, Secretary, or Treasurer of the EMA GSA to be appointed by the Board of Directors pursuant to Article 8.2 of this Agreement.

2.14 "Santa Ynez Water Group" means the non-profit mutual benefit corporation currently registered with the State of California.

2.15 "SGMA" means the Sustainable Groundwater Management Act, including but not limited to Water Code section 10720 et seq., as SGMA may be amended from time to time.

2.16 "State" means the State of California.

ARTICLE 3 CREATION OF THE GSA

3.1 Creation of a Joint Powers Agency. There is hereby created pursuant to the Joint Exercise of Powers Act and SGMA a joint powers agency, which will be a public entity separate from the Members to this Agreement, and shall be known as the Santa Ynez River Valley Groundwater Basin Eastern Management Area Groundwater Sustainability Agency ("EMA GSA" or "GSA"). The boundaries of the EMA GSA shall be

coterminous with the boundaries of the EMA portion of the Basin as established by the EMA GSP and depicted in Exhibit A, which may be amended from time to time pursuant to SGMA.

3.2 Notices. Within 30 days after the Effective Date of this Agreement, and after any amendment hereto, Santa Barbara, on behalf of the EMA GSA, or the GSA, shall cause a notice of this Agreement or amendment to be prepared and filed with the office of the California Secretary of State containing the information required by Government Code section 6503.5. Within 30 days after the Effective Date of this Agreement, Santa Barbara, on behalf of the EMA GSA, shall cause a statement of the information concerning the GSA, required by Government Code section 53051, to be filed with the office of the California Secretary of State and with the County Clerk for the County of Santa Barbara, setting forth the facts required to be stated pursuant to Government Code section 53051(a). Within 30 days after the Effective Date of this Agreement, Santa Barbara, on behalf of the EMA GSA, shall inform DWR of the Members' decision and intent to undertake sustainable groundwater management within the EMA in accordance with Water Code section 10723.8.

3.3 Purpose of the GSA. The purpose of the EMA GSA is to implement and comply with SGMA in the EMA portion of the Santa Ynez River Valley Groundwater Basin by serving as the EMA's groundwater sustainability agency, implementing the GSP for the EMA, and coordinating with the WMA GSA and CMA GSA in sustainably managing the Basin pursuant to SGMA.

ARTICLE 4 TERM

4.1 This Agreement shall become effective on the last date on which all of the Members listed in Article 6.1 sign this Agreement ("Effective Date"), after which notices shall be filed in accordance with Article 3.2. This Agreement shall remain in effect until terminated pursuant to the provisions of Article 16 of this Agreement.

ARTICLE 5 POWERS

5.1 The EMA GSA shall possess the power in its own name to exercise any and all powers as are expressly set forth in this Agreement, the Joint Exercise of Powers Act, and in SGMA subject to the limitations set forth therein.

5.2 For purposes of Government Code section 6509 and Water Code section 10730.6(d), the powers of the EMA GSA shall be exercised subject to the restrictions upon the manner of exercising such powers as are imposed on Santa Barbara, and in the event of the withdrawal of Santa Barbara as a Member under this Agreement, then the manner of exercising the GSA's powers shall be exercised subject to those restrictions

imposed on Solvang.

ARTICLE 6 MEMBERSHIP

6.1 Members. The Members of the EMA GSA, as long as they have not withdrawn from this Agreement pursuant to Article 16, shall be:

- (a) City of Solvang;
- (b) Santa Barbara County Water Agency;
- (c) Santa Ynez River Water Conservation District; and
- (d) Santa Ynez River Water Conservation District, Improvement District No.1.

6.2 New Members. Any entity authorized by SGMA and other applicable law to participate in the EMA GSA, that is not a Member on the Effective Date of this Agreement, may become a Member upon all of the following:

- (a) The approval of the Board of Directors as specified in Article 11.3;
- (b) Amendment of the Agreement in accordance with Article 17.2; and
- (c) Payment by the new Member of a pro rata share of all previously incurred costs that the Board of Directors determines have resulted in benefit to the new Member, and are appropriate for assessment on the new Member.

ARTICLE 7 BOARD OF DIRECTORS

7.1 Formation of the Board of Directors. The EMA GSA shall be governed by a Board of Directors ("Board"). Directors of the Board shall consist of one representative from each of the Members of the GSA pursuant to Article 6, and one representative

appointed by the Member Directors, initially as follows:

- (a) One Director representing Solvang;
- (b) One Director representing Santa Barbara;
- (c) One Director representing SYRWCD;
- (d) One Director representing ID No.1; and
- (e) One Director, appointed in accordance with Article 7.2 by the Member Directors listed in (a)-(d) above, specifically representing the agricultural interests of the EMA (the "Agricultural Director").

7.2 Appointment of Directors. Directors of the Board shall be appointed as follows:

- (a) The Director representing Solvang shall be appointed by resolution of Solvang's City Council.
- (b) The Director representing Santa Barbara shall be appointed by resolution of Santa Barbara's Board of Directors.
- (c) The Director representing SYRWCD shall be appointed by resolution of SYRWCD's Board of Directors.
- (d) The Director representing ID No.1 shall be appointed by resolution of ID No.1's Board of Trustees.
- (e) The Director of any new Member of the EMA GSA pursuant to Article 6.2 shall be appointed by resolution of the governing body of the new Member.
- (f) The Agricultural Director listed in Article 7.1(e) shall be appointed as follows:
 - (1) Upon request of the Board, the Santa Ynez Water Group, working in conjunction with other agricultural associations or entities having members or doing business within the GSA's boundaries, specifically including but not limited to the Santa Barbara County Farm Bureau, shall solicit applications for the Agricultural Director position through an open public process where such solicitation shall be publicly noticed in a newspaper of general circulation within the EMA and announced at no less than one public meeting of the EMA GSA. The Santa Ynez Water Group shall review all received applications and submit (i.e., nominate) one or more Qualified Nominees for the Agricultural Director position to the

Board, where a discussion of the review and nomination process must be provided by the nominating entity as part of an open public meeting of the EMA GSA.

- (a) A "Qualified Nominee" need not be a member of the Santa Ynez Water Group, or any other agricultural association or entity having members or doing business within the GSA's boundaries, but shall satisfy the following qualifications:
- (i) Be an owner or representative of an owner of property located within the boundaries of the GSA and involved in Commercial Agriculture which produces at least 2 acre-feet per year of groundwater (as defined by SGMA and the EMA GSP) from within the boundaries of the GSA to support Commercial Agriculture on said property;
 - For purposes of these criteria, "Commercial Agriculture" means a commercial or family farming enterprise whose business is to cultivate the land for growing plants, vines, or other crops for consumption, fiber, biofuel, or raw materials, or the breeding, feeding, or raising of animals, livestock, or poultry for human consumption or other products, all resulting in the marketing and commercial sale of such products. The GSA may require submittal of documentation satisfactory to the GSA, including but not limited to applicable IRS forms, certifying that the property is used for Commercial Agriculture.
 - (ii) Be a resident and registered voter within the boundaries of the GSA; and
 - (iii) The Agricultural Director, or the owner he/she represents, may not be a party to any pending litigation against the GSA, other than as a party to a groundwater rights adjudication affecting the EMA.
 - (iv) Amendments to these criteria may be adopted through resolution by a unanimous vote of the Member Directors.
- (2) After the Santa Ynez Water Group has submitted one or more Qualified Nominees for the Agricultural Director position, the

Member Directors will consider said Qualified Nominees for appointment to the Board. Notwithstanding Article 11.3 of this Agreement, said appointment decision shall require a unanimous vote of all the Member Directors (or Alternates as applicable) during a publicly noticed meeting of the EMA GSA where the Directors from each of the Members (or Alternates as applicable) are present and each casts a vote. In the absence of a unanimous vote of approval and appointment by the Member Directors, the Member Directors may request the Santa Ynez Water Group to submit alternative Qualified Nominees in accordance with the process set forth above.

(3) The Agricultural Director shall be appointed for a term of two years but may be reappointed for multiple terms so long as that Agricultural Director is nominated by the Santa Ynez Water Group in accordance with the processes and requirements set forth above and unanimously approved and appointed by the Member Directors.

(4) If the Santa Ynez Water Group is unwilling or unable to select and submit one or more Qualified Nominees for the Agricultural Director position to the Board pursuant to the process set forth herein, the Board may request another agricultural association or entity having members or doing business within the GSA's boundaries to perform such process.

(g) Each Director representing a Member shall be an elected official of the appointing Member.

7.3 Alternate Directors. Each Director shall have one Alternate to act as a substitute Director for that Director. All Alternates shall be appointed in the same manner as set forth in Article 7.2. Alternate Directors shall not vote or participate in any deliberations of the Board unless appearing as a substitute for a Director due to absence or conflict of interest. If a Director is not present, or if a Director has a conflict of interest which precludes participation by the Director in any decision-making process of the Board, the Alternate Director appointed to act in his/her place shall assume all roles of the Director, and shall have the authority to act on behalf of the absent Director, including but not limited to participating in open session and closed session deliberations and casting votes on matters before the Board. An Alternate Director representing a Member shall be an elected official or staff of the appointing Member.

7.4 Requirements. Each Member Director and Alternate Member Director shall be appointed by resolution as set forth in Article 7.2. Member Directors and Alternate Member Directors shall serve at the pleasure of the governing body of the appointing Member. No individual Director or Alternate representing a Member may be removed

except by the vote of the governing body of the Member that appointed him/her. The term of a non-Member Director or non-Member Alternate appointed in accordance with Article 7.2 above shall be two (2) years, and such Director or Alternate may serve any number of consecutive terms upon re-appointment in accordance with Article 7.2 above; provided, however, that any non-Member Director or non-Member Alternate may be removed from his/her position at any time prior to the expiration of his/her then-current term based on a decision by the Member Directors, where notwithstanding Article 11.3 of this Agreement said removal decision shall be subject to the unanimous voting requirements of Article 7.2(f)(2) above.

7.5 Vacancies. Upon the vacancy of a Director, the Alternate Director shall serve as Director until a new Director is appointed as set forth in Article 7.2 above. Upon the vacancy of an Alternate, a new Alternate shall be appointed as set forth in Articles 7.2 and 7.3. A Member shall submit any changes in its Director or Alternate Director positions to the Board by providing a copy of its executed resolution.

7.6 Duties of the Board of Directors. The business and affairs of the EMA GSA, and all of its powers, including without limitation all powers set forth in Article 5, are reserved to and shall be exercised by and through the Board of Directors, or Member Directors where specifically set forth in this Agreement, except as may be expressly delegated to the Executive Director or other(s) pursuant to this Agreement, Bylaws of the GSA, or by specific action of the Board of Directors.

7.7 Director and Alternate Compensation. No Director or Alternate shall be compensated by the EMA GSA in connection with any meetings or other activities undertaken as a representative of the GSA. Nothing in this Article is intended to prohibit a Member from compensating its Director or Alternate for compensable activities undertaken as a Director or Alternate of the GSA Board.

ARTICLE 8 OFFICERS

8.1 Officers. Officers of the EMA GSA shall be a Chair, Vice Chair, Secretary, and Treasurer. Additional officers may be appointed by the Board as it deems necessary.

- (a) Chair. The Chair shall preside at all meetings of the Board of Directors and shall be a member of the Board.
- (b) Vice Chair. The Vice Chair shall exercise all powers of the Chair in the Chair's absence or inability to act, and shall be a member of the Board.
- (c) Secretary. The Secretary shall certify minutes of meetings of the Board of Directors and shall perform other duties and responsibilities as properly delegated by the Board. The Secretary may, but need not, be a member of the Board.
- (d) Treasurer. The Treasurer shall perform such duties and responsibilities specified in Government Code sections 6505.5 and

6505.6. The Treasurer may, but need not, be a member of the Board.

8.2 Appointment of Officers. Officers shall be appointed annually by, and serve at the pleasure of, the Board of Directors. Officers shall be appointed by resolution of the Board at the first Board meeting, and thereafter at the first Board meeting following January 1st of each year. An Officer may serve for multiple consecutive terms, with no term limit. Any Officer may resign at any time upon written notice to the Board, and may be removed and replaced by a decision of the Board in accordance with Article 11.3. Notwithstanding the foregoing, the Treasurer shall be appointed in the manner specified in Government Code sections 6505.5 and 6505.6.

8.3 Principal Office. The principal office of the EMA GSA shall be established by the Board of Directors, and may thereafter be changed by the Board.

ARTICLE 9 EXECUTIVE DIRECTOR, STAFF, AND MEMBER AGENCY ACTIVITIES

9.1 Hiring. The GSA may hire an Executive Director, as well as any other needed staff, consultant(s), and legal counsel, who may be hired as an individual or entity, and who may be hired as employee of the GSA or by contract with the GSA. The Board may also contract with a Member of the GSA to undertake an activity on behalf of the GSA.

- a) Any decision by the GSA to hire an Executive Director, staff, consultant(s), or legal counsel by contract, where such individual or entity is not also the Executive Director, staff, consultant, or legal counsel of a Member or entity that a Director represents, shall be subject to the supermajority voting requirements of Article 11.3(b). Notwithstanding those requirements, if there is no Agricultural Director seated at the time of the vote of the JPA board, at least three votes shall be required to approve a contract for such services with a term not to exceed one year.
- b) Notwithstanding Article 11.3, any decision by the GSA to hire an Executive Director, staff, or legal counsel as an employee of the GSA, where such individual or entity is not also the Executive Director, staff, or legal counsel of a Member or entity that a Director represents, shall require a unanimous vote of all Directors.
- c) Notwithstanding Article 11.3, any decision by the GSA to hire an Executive Director, staff, or legal counsel, whether by contract or as an employee of the GSA, where such individual or entity is also the Executive Director, staff or legal counsel of a Member or entity that a Director represents, shall require a unanimous vote of all Directors.
- d) Notwithstanding Article 11.3, any decision by the GSA to contract with a Member to undertake any activity on behalf of the GSA, regardless of the

nature of said activity and regardless of whether such activity involves payment to the Member, shall require a unanimous vote of all Directors, where the Director representing the Member proposed to undertake an activity on behalf of the GSA shall not be entitled to cast a vote.

9.2 Compensation. Compensation for the Executive Director, staff, consultants, legal counsel, or a Member agency undertaking an activity on behalf of the GSA shall be determined by the Board.

9.3 Duties. Any individual, entity, or agency hired by the GSA shall serve at the pleasure of the Board. The Executive Director shall be responsible to the Board for the property and efficient administration of the GSA. The Executive Director shall have the powers designated by the Board, and otherwise as set forth in the GSA Bylaws.

9.4 Termination. Any individual, entity, or agency hired by the GSA shall serve until his/her/its resignation or until the Board terminates the employment or contract.

ARTICLE 10 GSA DIRECTOR MEETINGS

10.1 Initial Meeting. The initial meeting of the EMA GSA Board of Directors shall be called by the Chair pro tem and held within the boundaries of the EMA, within sixty (60) days of the Effective Date of this Agreement.

10.2 Time and Place. The Board of Directors shall meet at least quarterly, at a date, time, and place set by the Board, and at such other dates, times, and places as may be determined by the Board.

10.3 Special Meetings. Special meetings of the Board of Directors may be called by the Chair or by a simple majority of Directors, in accordance with the Ralph M. Brown Act (Government Code section 54950 et seq.).

10.4 Conduct. All meetings of the Board of Directors, including special meetings, and any meetings involving teleconferencing to the extent allowed by law, shall be noticed, held, and conducted in accordance with the Ralph M. Brown Act (Government Code section 54950 et seq.).

10.5 Local Conflict of Interest Code. The Board of Directors shall adopt a local conflict of interest code pursuant to the provisions of the Political Reform Act of 1974 (Government Code section 81000 et seq.).

ARTICLE 11 VOTING

11.1 Quorum. A quorum of any meeting of the Board of Directors shall consist of a majority of the Directors. In the absence of a quorum, any meeting of the Directors may be adjourned by a vote of the simple majority of Directors present, but no other business may be transacted.

11.2 Director Votes. Voting by the Board of Directors shall be made on the basis of one vote for each Director as follows:

- (a) The Director representing Solvang shall have one (1) vote;
- (b) The Director representing Santa Barbara shall have one (1) vote;
- (c) The Director representing SYRWCD shall have one (1) vote;
- (d) The Director representing ID No.1 shall have one (1) vote;
- (e) The non-Member Director appointed in accordance with Article 7.2 shall have one (1) vote;

A Director, or an Alternate Director when acting in the absence of a Director, may vote on all matters of GSA business unless disqualified.

11.3 Decisions of the Board.

- (a) Majority Approval. Except as otherwise specified in this Agreement, all decisions of the Board of Directors shall require the affirmative vote of not less than three (3) Directors.
- (b) Supermajority Approval. Notwithstanding the foregoing, a supermajority vote requiring at least four (4) out of five (5) votes (regardless of the number of Directors present or the number of Directors appointed) in accordance with Article 11.2 shall be required to approve any of the following:
 - the initial budget and any subsequent annual budget;
 - any new GSP or any update or amendment to the EMA GSP;
 - any proposed modification or alteration of the EMA boundaries or boundaries of the EMA GSA;
 - the initiation, settlement, or other resolution of any litigation,

- legal proceeding, or claim that involves the EMA GSA;
- the initiation or settlement of any enforcement proceeding by the EMA GSA;
- adoption of any restriction, curtailment, allocation, or other limitation on groundwater production;
- addition of a new Member pursuant to Article 6.2;
- establishment of any fee, charge, assessment, or tax, or any amendments or modifications thereto;
- adoption or amendment of EMA GSA bylaws, rules, regulations, policies, or procedures;
- adoption or amendment of EMA GSA ordinances;
- issuance of bonds or other indebtedness by the EMA GSA;
- expenditure of funds beyond expenses approved in an annual budget of the EMA GSA;
- selection of a consultant to conduct work for or on behalf of the EMA GSA, subject to the specific requirements of Article 9 above;
- appointment, employment, hiring by contract, or dismissal of the EMA GSA Executive Director, treasurer, staff, or legal counsel, subject to the specific requirements of Article 9 above;
- for any value exceeding that established by resolution, contract, or the bylaws of the Board of Directors, any acquisition or divestment by grant, purchase, lease, license, permit, gift, devise, contract, or otherwise of the right to hold, use, enjoy, sell, let, encumber, or dispose of real and/or personal property, including but not limited to lands, water rights, structures, infrastructure, buildings, rights-of-way, easements, and other improvements, within or outside the EMA GSA, necessary or proper to carry out the purposes of the EMA GSA;
- allocation of funding received by or on behalf of the EMA GSA from grants, loans, or other funding sources; and
- actions to apply for, accept, or receive grants, loans, gifts,

contributions, donations, or other aid from any agency of the United States, agency of the State of California, or public or private party, for or on behalf of the EMA GSA.

ARTICLE 12 BYLAWS

12.1 The Board of Directors may approve and amend, as needed, Bylaws for the EMA GSA.

ARTICLE 13 ACCOUNTING PRACTICES

13.1 General. The Board of Directors shall establish and maintain such funds and accounts as may be required by generally accepted public agency accounting practices. The EMA GSA shall maintain strict accountability of all funds and a report of all receipts and disbursements of the GSA. The GSA shall hire an independent auditor to audit its funds and accounts as required by law.

13.2 Fiscal Year. Unless the Board of Directors decides otherwise, the fiscal year for the EMA GSA shall run from July 1st to June 30th.

ARTICLE 14 BUDGET AND EXPENSES

14.1 Budget. The Board of Directors shall adopt an annual budget for the EMA GSA.

14.2 GSA Funding and Contributions.

- (a) For the purpose of funding the expenses and ongoing operations of the EMA GSA, the Board of Directors shall maintain a funding account in connection with the annual budget process.
- (b) The EMA GSA may apply for grants and/or loans to fund a portion of the cost of implementing SGMA and the EMA GSP as the Board may direct.
- (c) The Board of Directors may undertake activities to fund the EMA GSA and implement SGMA and the EMA GSP; may accept voluntary contributions from Members or other persons or entities that are not subject to reimbursement by the GSA; may accept voluntary contributions from Members or other persons or entities that are subject to reimbursement by the GSA; and/or may pursue funding

through any other means allowable by law, including but not limited to fees and/or charges.

- (d) Within 30 days of receipt of an invoice from the GSA, each Member shall contribute \$50,000, which shall be reimbursed by the EMA GSA no later than December 2026 unless such date is extended by written agreement of the contributing Members. Other financial contributions may be made by the Members under the provisions of the November 15, 2023 Interim Cost Share Agreement for the EMA ("Interim Cost Share Agreement") while it is in effect and as the Interim Cost Share Agreement may be amended from time to time. Each Member hereby acknowledges and agrees that it is lawful for the Members to contribute these funds.
- (e) The GSA will apply funds available in the funding account to EMA GSA expenses approved by the Board in accordance with this Agreement in the following order (to the extent such funds may by law be used to pay each expense):
 - (i) Voluntary contributions not subject to reimbursement by the GSA;
 - (ii) Grant funds;
 - (iii) Revenue generated from fees/charges;
 - (iv) Bond proceeds from any bonds issued pursuant to this Agreement;
 - (v) Voluntary contributions subject to reimbursement by the GSA;
 - (vi) Direct payments from Members made pursuant to Article 14.2(d).

14.3 Return of Contributions. In accordance with the Joint Exercise of Powers Act, repayment or return to the Members of all or any part of any contributions made by Members shall be directed by the Board of Directors at such time and upon such terms required by this Agreement and the Interim Cost Share Agreement; provided that (1) any repayment or return of contributions shall be made in proportion to the contributions paid by each Member to the GSA, and (2) all contribution amounts made by the Members under this Agreement and the Interim Cost Share Agreement shall be returned to the contributing Member, together with accrued interest after December 2026 at the annual rate published as the yield of the Local Agency Investment Fund administered by the California State Treasurer (provided that any contributing Member may elect to waive interest or extend the date upon which interest accrues), before any other return of contributions to other persons or entities is made by the GSA. The GSA shall hold title to all funds and property acquired by the GSA until such title is released by the GSA.

14.4 Issuance of Indebtedness. The GSA may issue bonds, notes, or other forms of indebtedness, provided such issuance is approved at a meeting of the Board of

Directors by supermajority vote in accordance with Article 11.2.

ARTICLE 15 LIABILITIES

15.1 Liability. In accordance with Government Code section 6507 and 6508.1, the debts, liabilities, and obligations of the EMA GSA shall be the debts, liabilities, and obligations of the GSA alone, and not of any of the Members individually or jointly, except as otherwise specified by law.

15.2 Indemnity. The EMA GSA, and those persons, agencies, consultants, entities, and instrumentalities used by it to perform the functions authorized by this Agreement, SGMA, and other applicable law, whether by contract, employment, or otherwise shall be exclusively liable for any and all injuries, costs, expenses, claims, suits, actions, proceedings, losses, liabilities, damages, judgments, or other obligations of whatever kind arising from or related to activities of the GSA. The GSA agrees to indemnify, defend, and hold harmless each Member, each non-Member Director and Alternate, and their respective governing boards, officers, officials, representatives, agents, and employees from and against any and all claims, suits, actions, arbitration proceedings, administrative proceedings, regulatory proceedings, losses, liabilities, damages, judgments, expenses, costs, including but not limited to attorney fees, consultant fees, and expert fees, and/or other obligations of whatever kind arising from or related or attributable to the GSA or this Agreement ("Claims").

In addition to the foregoing, funds of the EMA GSA may be used to defend, indemnify, and hold harmless the GSA, each Member, each Director and Alternate Director, and any officers, officials, agents, or employees of the GSA for their actions taken within the course and scope of their duties while acting on behalf of the GSA against any such Claims.

The Members do not intend hereby to be obligated either jointly or severally for any Claims or any other debts, liabilities, or obligations of the GSA, except as may be specifically provided for in applicable law.

15.3 Insurance. The EMA GSA shall procure appropriate policies of insurance providing coverage to the GSA and its Directors, Alternate Directors, officers, officials, agents, and employees for general liability, errors and omissions, property, workers compensation, and any other coverage the Board deems appropriate. Such policies shall, to the extent practicable, name the Members as additional insureds.

ARTICLE 16 WITHDRAWAL OF MEMBERS

16.1 Unilateral Withdrawal. Any Member may unilaterally withdraw from this Agreement without causing or requiring termination of this Agreement, effective upon

thirty (30) days written notice to the Board of Directors and all other Members.

16.2 Termination of Agreement and GSA. This Agreement and the EMA GSA established under this Agreement may be terminated by unanimous written consent of all Members, except during the outstanding term of any EMA GSA indebtedness.

16.3 Effect of Withdrawal or Termination. Upon termination of this Agreement or unilateral withdrawal, a Member shall remain obligated to pay its share of all liabilities and obligations of the EMA GSA required of the Member pursuant to terms of this Agreement, but only to the extent that the liabilities and obligations were incurred or accrued prior to the Member's written notice of withdrawal, and only to the extent that the liabilities and obligations are the individual Member's liabilities and obligations as opposed to the liabilities and obligation of the GSA in accordance with Article 15. After providing notice of withdraw in accordance with Article 16.1, a withdrawing Member shall have no right to participate in the business and affairs of the GSA, except through public participation. Provided, however, that nothing contained in this Article 16.3 shall be construed as affecting a withdrawing Member's right to reimbursement or return of capital from the GSA in accordance with Article 14 or any agreement between the GSA and the withdrawing Member. Provided further, that notwithstanding the foregoing, nothing contained in this Article 16.3 shall be construed as prohibiting a Member that has withdrawn from the GSA to become a separate groundwater sustainability agency within its jurisdiction in accordance with SGMA. Nothing in this section shall be construed as obligating the EMA GSA to consent to formation or designation of another GSA for any portion of the Basin.

16.4 Return of Contribution. Upon termination of this Agreement, and to the extent a successor public entity is established which will carry on the functions of the EMA GSA and assume its assets, the assets of the GSA shall be transferred to the successor public entity. If there is no successor public entity which will carry on the functions of the GSA, then, subject to the requirements of Article 14, any surplus capital on-hand shall be returned to the Members in proportion to their contributions made and the Board of Directors shall first offer any property, works, rights, and interests of the GSA for sale to the Members on terms and conditions determined by the Board of Directors. If any property, works, rights, and interests of the GSA remain after first being offered for sale to the Members, the Board of Directors shall then offer the property, works, rights, and interests of the GSA for sale to any non-Member for good and adequate consideration. Subject to the requirements of Article 14, the net proceeds from any such sales shall be distributed among the Members in proportion to their contributions made.

ARTICLE 17 MISCELLANEOUS PROVISIONS

17.1 Notices. Notices to a Member shall be sufficient if delivered to the clerk or secretary of the respective Member's governing board and addressed to the Member at the address noted on the signature page or at such other address or to such other person that the Member may designate in accordance with this Article. Delivery may be accomplished by personal delivery or with postage prepaid by first class mail, registered

or certified mail, or express courier.

17.2 Amendments to Agreement. This Agreement may be amended or modified at any time only by subsequent written agreement approved and executed by all of the Members.

17.3 Agreement Complete. This Agreement constitutes the full and complete agreement of the Members with respect to the matters set forth by this Agreement. In regards to the April 27, 2017 "Memorandum of Agreement for Formation of a Groundwater Sustainability Agency for the Eastern Management Area in the Santa Ynez Valley Groundwater Basin under the Sustainable Groundwater Management Act" ("2017 MOA"), as soon as DWR accepts this Agreement and the EMA GSA formed hereunder as the governing GSA for the Eastern Management Area of the Basin, then this Agreement will supersede the 2017 MOA in its entirety and this Agreement and the EMA GSA formed hereunder will assume all activities as the governing GSA for the Eastern Management Area of the Basin, except as otherwise provided in Article 16.3.

17.4 Severability. Should any part, term, or provision of this Agreement be decided by a court of competent jurisdiction to be illegal or in conflict with any applicable federal law or any law of the State of California, or otherwise be rendered unenforceable or ineffectual, the validity of the remaining parts, terms, or provisions hereof shall not be affected thereby, provided however, that if the remaining parts, terms, or provisions do not comply with the Joint Exercise of Powers Act, this Agreement shall terminate.

17.5 Withdrawal by Operation of Law. Should the participation of any Member to this Agreement be decided by a court of competent jurisdiction to be illegal or in excess of that Member's authority or in conflict with any law, resulting in the withdrawal of such Member from this Agreement, the validity of this Agreement as to the remaining Members shall not be affected thereby.

17.6 Assignment. The rights and duties of the Members may not be assigned or delegated without the written consent of all other Members. Any attempt to assign or delegate such rights or duties in contravention of this Agreement shall be null and void.

17.7 Binding on Successors. Subject to Article 17.6, this Agreement shall inure to the benefit of, and be binding upon, the successor of any Member.

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

17.9 Member Authorization. The governing bodies of the Members have each authorized execution of this Agreement and all signatories to this Agreement warrant and represent that they have the power and authority to enter into this Agreement in the

names, titles, and capacities stated herein and on behalf of the respective Members.

17.10 No Third Party Beneficiary. Except as expressly set forth herein, this Agreement is not intended to benefit any person or entity not a party hereto.

IN WITNESS WHEREOF, the Members have executed this Agreement to be effective on the date executed by the last Member as set forth in Article 4.1.

ATTEST:
City Clerk

CITY OF SOLVANG:

By: DocuSigned by:
Annamarie Porter Annamarie Porter
2EF6C6CE62C12A06
City Clerk

By: DocuSigned by:
Mark Infanti Mark Infanti
306836E2802E48F...
Mayor, City Council
Date: 6/12/2024

Address:

ATTEST:
Clerk of the Board

**SANTA YNEZ RIVER WATER
CONSERVATION DISTRICT:**

By: _____
Deputy Clerk

By: _____
Chair, Board of Directors

Address:

Date: _____

ATTEST:

Secretary of the Board

By: _____
Secretary

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

By: _____
President, Board of Trustees

Date: _____

ATTEST:

Mona Miyasato
County Executive Officer
Clerk of the Board, Ex Officio Clerk of
the Santa Barbara County Water Agency

By: _____
Deputy Clerk

**SANTA BARBARA COUNTY
WATER AGENCY:**

By: _____
Chair, Board of Directors

Date: _____

Address:

RECOMMENDED FOR APPROVAL:

Santa Barbara County Water Agency

By: _____
Department Head

APPROVED AS TO FORM:

Risk Management

By: _____
Risk Management

APPROVED AS TO FORM:

Rachel Van Mullem
County Counsel

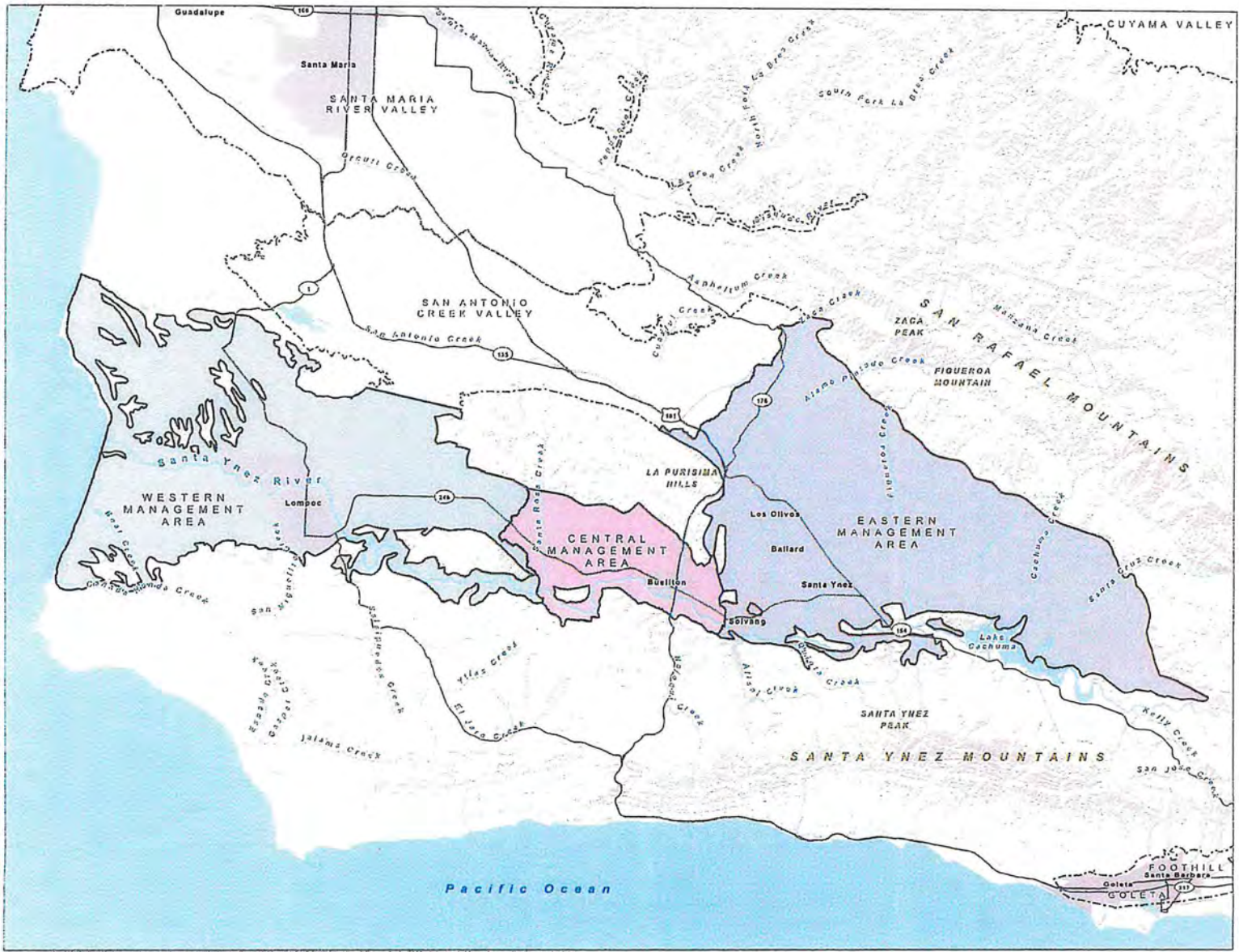
By: _____
Deputy County Counsel

**APPROVED AS TO ACCOUNTING
FORM:**

Betsy Schafer
Auditor-Controller

By: _____
Deputy

FIGURE 1-1
Santa Ynez River Valley
Groundwater Basin
 Santa Ynez River Valley
 Groundwater Basin –
 Eastern Management Area
 Groundwater Sustainability Plan



LEGEND

- Bulletin 118 Santa Ynez River Valley Groundwater Basin
- Santa Ynez River Valley Subbasins**
- Central Management Area
- Eastern Management Area
- Western Management Area
- All Other Features**
- Other Bulletin 118 Groundwater Basin Boundary
- City Boundary
- Major Road
- Watercourse
- Waterbody

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Foot

Date: July 27, 2021
 Data Sources: ESRI, USGS



Figure 1-1: Bulletin 118 Santa Ynez River Valley Groundwater Basin - Eastern Management Area Groundwater Sustainability Plan. Data sources: ESRI, USGS. Date: July 27, 2021.

RESOLUTION NO. 847

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE SANTA YNEZ RIVER WATER CONSERVATION DISTRICT IMPROVEMENT DISTRICT NO. 1 APPOINTING DISTRICT TRUSTEES TO SERVE AS DIRECTOR AND ALTERNATE DIRECTOR TO THE SANTA YNEZ RIVER VALLEY BASIN EASTERN MANAGEMENT AREA GROUNDWATER SUSTAINABILITY AGENCY

WHEREAS, the Sustainable Groundwater Management Act (SGMA) requires the formation of Groundwater Sustainability Agencies (GSAs) to manage medium and high priority groundwater basins throughout the state through the adoption and implementation of Groundwater Sustainability Plans (GSPs); and

WHEREAS, as authorized by SGMA and consistent with information published by the California Department of Water Resources (DWR), the Santa Ynez River Valley Groundwater Basin (Basin) has been divided into three Management Areas, being the Western Management Area (WMA), the Central Management Area (CMA), and the Eastern Management Area (EMA); and

WHEREAS, by Memorandum of Agreement dated April 27, 2017 (2017 MOA), the Santa Barbara County Water Agency, the City of Solvang, the Santa Ynez River Water Conservation District, and the Santa Ynez River Water Conservation District, Improvement District No.1 (collectively, the EMA Member Agencies) formed a Groundwater Sustainability Agency for the Eastern Management Area (EMA GSA), and pursuant to the 2017 MOA the EMA GSA developed, adopted, and submitted an GSP for the EMA, which was approved by DWR in January 2024; and

WHEREAS, in accordance with the 2017 MOA, the EMA Member Agencies have negotiated a 2024 Joint Exercise of Powers Agreement for the Santa Ynez River Valley Basin Eastern Management Area Groundwater Sustainability Agency (EMA JPA Agreement) to create a separate public entity as a Joint Powers Authority to serve as the EMA GSA in implementing the EMA GSP and carrying out SGMA in the EMA; and

WHEREAS, Article 7 of the EMA JPA Agreement provides that the Director and Alternate Director representing each of the EMA Member Agencies, respectively, shall be appointed by resolution of the respective EMA Member Agencies.

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

1. The Board of Trustees hereby appoints Trustee _____ to serve as the ID No.1 Director on the EMA GSA Board of Directors; and hereby appoints _____ to serve as the Alternate Director on the EMA GSA Board of Directors, as those Director and Alternate Director positions are described in the EMA JPA Agreement.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

WE, THE UNDERSIGNED, being the duly qualified President and Secretary 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 June 18, 2024 by the following roll call vote:

AYES, and in favor thereof, Trustees:

NOES, Trustees:

ABSENT, Trustees

Jeff Clay, President

ATTEST:

Mary Robel, Secretary to the Board

BILL THAT WOULD HAVE BANNED SOME NEW GROUNDWATER WELLS FAILS TO PASS OUT OF SENATE COMMITTEE

BY ACWA STAFF JUN 12, 2024 WATER NEWS

AB 2079 (Bennett), which would have banned local agencies from permitting some new groundwater wells, failed to pass out of the Senate Natural Resources and Water Committee on Tuesday, effectively stopping the bill.

ACWA's State Legislative Committee adopted an oppose-unless-amended position due to concerns over the moratorium on new wells throughout much of the state and the potential legal liability it created for local agencies. The bill would have prohibited well-permitting agencies from approving applications for agricultural and industrial wells in basins that experienced more than half a foot of subsidence since 2015, or if the well was within a quarter-mile of a domestic well.

ACWA participated in a large coalition of associations, water agencies, business and agricultural interests in opposing the bill, and ACWA Senior State Relations Advocate Kristopher Anderson testified Tuesday, encouraging the committee to vote against the bill.

AMENDED IN SENATE JUNE 3, 2024
AMENDED IN ASSEMBLY APRIL 25, 2024
AMENDED IN ASSEMBLY APRIL 16, 2024
AMENDED IN ASSEMBLY MARCH 21, 2024
CALIFORNIA LEGISLATURE—2023–24 REGULAR SESSION

ASSEMBLY BILL

No. 2079

Introduced by Assembly Member Bennett

February 5, 2024

An act to add Article 5 (commencing with Section 13807) to Chapter 10 of Division 7 of the Water Code, relating to groundwater.

LEGISLATIVE COUNSEL'S DIGEST

AB 2079, as amended, Bennett. Groundwater extraction: large-diameter, high-capacity water wells: permits.

Existing law, the Sustainable Groundwater Management Act, requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans, except as specified. Existing law authorizes any local agency or combination of local agencies overlying a groundwater basin to decide to become a groundwater sustainability agency for that basin and imposes specified duties upon that agency or combination of agencies, as provided.

Existing law requires the State Water Resources Control Board to adopt a model water well, cathodic protection well, and monitoring well drilling and abandonment ordinance implementing certain standards for water well construction, maintenance, and abandonment and requires

each county, city, or water agency, where appropriate, to adopt a water well, cathodic protection well, and monitoring well drilling and abandonment ordinance that meets or exceeds certain standards. Under existing law, if a county, city, or water agency, where appropriate, fails to adopt an ordinance establishing water well, cathodic protection well, and monitoring well drilling and abandonment standards, the model ordinance adopted by the state board is required to take effect, and is required to be enforced by the county or city and have the same force and effect as if adopted as a county or city ordinance.

This bill would require a local enforcement agency, as defined, to perform specified activities at least 30 days before determining whether to approve a permit for a new large-diameter, high-capacity well, as defined. By imposing additional requirements on a local enforcement agency, the bill would impose a state-mandated local program. The bill would require, ~~if the proposed large-diameter, high-capacity well is to be located in an area subject to management by a groundwater sustainability agency, the applicable groundwater sustainability agency, upon notice of a permit application, upon adoption or amendment of a groundwater sustainability plan, the groundwater sustainability agency~~ to provide specified information to the local enforcement agency, including, but not limited to, the name of the applicable groundwater sustainability agency, the agency manager and contact information, and the applicable sustainable management criteria related to groundwater levels, including the groundwater level measurable objectives and minimum thresholds. The bill would require a local enforcement agency, before approving a permit for a large-diameter, high capacity well, to provide specified information to the applicant. The bill would prescribe certain standards a local enforcement agency would be required to follow in the approval or denial of the permit, including the location of the proposed large-diameter, high capacity well and specified geological and water supply considerations. The bill would provide exemptions for its provisions for specified water wells. The bill would provide that its provisions apply only to applications for permits for the construction, maintenance, abandonment, or destruction of water wells in basins identified in the Department of Water Resources Bulletin 118.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) The groundwater extraction from large-diameter,
4 high-capacity wells can interfere with nearby drinking water wells
5 and result in impacts to critical infrastructure from subsidence.

6 (b) It is in the public interest to ensure that the permitting of
7 new wells extracting groundwater will be conducted to minimize
8 the impacts to drinking water wells and subsidence.

9 (c) Sustainable groundwater management in many parts of the
10 state requires coordination between local agencies permitting water
11 wells and groundwater sustainability agencies managing
12 groundwater basins.

13 (d) People, businesses, and industries seeking to construct or
14 operate water wells should be adequately informed about
15 groundwater conditions and groundwater management programs
16 that may affect the current or future use and operation of their
17 wells.

18 (e) Applicants seeking, and agencies permitting, the construction
19 and operation of water wells should take into account the reliability
20 and sustainability of the groundwater sources intended to be used
21 to avoid unexpected or unplanned well dewatering or loss of well
22 production capacity, which could lead to higher rates of
23 unexpected, unplanned, or premature well abandonment and
24 dereliction that could pose additional threats to groundwater
25 quality.

26 (f) Agencies issuing permits for the construction and operation
27 of water wells should consider the potential for those wells to cause
28 or contribute to land subsidence, which can have impacts on water
29 quality by adversely affecting the concentration of naturally or
30 artificially occurring chemical constituents of concern and posing
31 other serious public health and economic problems.

32 SEC. 2. Article 5 (commencing with Section 13807) is added
33 to Chapter 10 of Division 7 of the Water Code, to read:

Article 5. Well Sustainability

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13807. This article shall apply only to applications for permits for the construction, maintenance, abandonment, or destruction of water wells in basins identified in the Department of Water Resources Bulletin 118.

13807.1. The following definitions shall apply to this article:

(a) "Community water system" has the same meaning as provided in Section 116275 of the Health and Safety Code.

(b) "Domestic well" has the same meaning as provided in Section 116681 of the Health and Safety Code.

(c) "Large-diameter, high-capacity well" means any water well with a diameter of ~~more than eight inches and intended to produce greater than two acre-feet annually.~~ *or greater.*

(d) "Local enforcement agency" means any city, county, or water agency that has adopted and is administering an ordinance for the construction, maintenance, abandonment, or destruction of a water well pursuant to this chapter.

(e) "Public water system" has the same meaning as defined in Section 116275 of the Health and Safety Code.

(f) "State small water system" has the same meaning as provided in Section 116275 of the Health and Safety Code.

(g) "Urban retail water supplier" has the same meaning as provided in Section 10608.12.

13807.2. (a) A local enforcement agency shall perform all of the following activities at least 30 days before determining whether to approve a permit for a new large-diameter, high-capacity well:

(1) ~~Provide electronic notice to the general public by posting notice of receipt of the application and the contents of the application on the local enforcement agency's internet website.~~

(2) ~~Provide electronic notice to all relevant groundwater sustainability agencies managing within a 10-mile radius of a proposed well, including those in adjacent basins or counties, as applicable: agencies.~~

~~(3) Provide notice to all other local enforcement agencies, if any, administering well-permitting programs within the basin in which the activities covered in the application would occur.~~

(4)
(3) Provide written notice through the United States Postal Service to the registered owners or agents of all parcels within a

1 one-mile radius of the site where the activities covered in the
2 application would occur and any relevant information on the well
3 permitting process.

4 ~~(5)~~

5 (4) Provide *electronic* notice to the state board if the well is to
6 be located within a groundwater basin that is designated as a
7 probationary basin.

8 ~~(b) If the proposed large-diameter, high-capacity well is to be
9 located in an area subject to management by a groundwater
10 sustainability agency, the applicable groundwater sustainability
11 agency shall, upon notice of a permit application, Upon adoption
12 or amendment of a groundwater sustainability plan, the
13 groundwater sustainability agency shall provide all of the
14 following information to the local enforcement agency:~~

15 (1) The name of the applicable groundwater sustainability plan
16 being implemented and where an electronic copy of the plan may
17 be accessed.

18 (2) The name of the applicable groundwater sustainability
19 agency, the agency manager and contact information, and the
20 applicable sustainable management criteria related to groundwater
21 levels, including the groundwater level measurable objectives and
22 minimum thresholds.

23 ~~(3) The estimated depth to the groundwater level based on the
24 most recent monitoring conducted by the groundwater
25 sustainability agency for the area of the basin where the proposed
26 activities covered by the application would occur.~~

27 ~~(3) Where the most recent groundwater level monitoring data
28 can be obtained for the basin.~~

29 ~~(4) Any Notice of fees, allocation, metering, spacing
30 determinations, or other regulations or ordinances that the
31 groundwater sustainability agency has adopted.~~

32 ~~(5) Any updates to the information provided pursuant to this
33 subdivision as necessary within 30 days, should changes occur.~~

34 ~~(6)~~

35 (5) Notice of an inadequate determination, if applicable, by the
36 department of the groundwater sustainability plan and the status
37 of any action of the state board resulting from the department
38 determination.

1 (c) Before approving any well permit for a large-diameter,
2 high-capacity well, a local enforcement agency shall provide ~~all~~
3 *both* of the following to the applicant:

4 (1) The basin name, number, and priority as assigned by the
5 department in its most recent Bulletin 118.

6 (2) The name of all groundwater sustainability agencies, if any,
7 managing the basin in which the activities covered in the
8 application would occur.

9 ~~(3) Information on regulations or ordinances adopted by the
10 groundwater sustainability agency relevant to the construction and
11 operation of the proposed well, if applicable.~~

12 ~~(4) If applicable, notice to the applicant that the approval of the
13 application and granting of any associated permit is subject to the
14 regulatory authority of any groundwater sustainability agency
15 managing the portion of the basin in which the activities covered
16 in the application would occur. The notice shall specifically inform
17 the applicant that in addition to any regulatory authority already
18 being exercised, a groundwater sustainability agency or the state
19 board for a probationary groundwater basin may exercise authority
20 to limit groundwater extraction, the imposition of fees, and
21 metering.~~

22 13807.3. (a) A local enforcement agency shall not approve a
23 permit for a large-diameter, high-capacity well if that well is
24 proposed to be located within one-quarter mile of a well used for
25 supplying domestic water to one or more persons or to a
26 community.

27 (b) (1) A local enforcement agency shall not approve a permit
28 for a large-diameter, high-capacity well if that well is proposed to
29 be located within one-quarter mile of an area that has subsided
30 greater than 0.5 feet in total since January 1, 2015, as reported and
31 defined by the department based upon ~~provided InSAR~~ subsidence
32 data ~~report~~ posted on the Natural Resources Agency open data
33 portal and department internet websites.

34 (2) A local enforcement agency may approve a permit for a
35 large-diameter, high-capacity well if the area identified in
36 paragraph (1) has not had subsidence of more than 0.1 feet over
37 the preceding four years, is consistent with the local groundwater
38 sustainability ~~plan, and is screened above geologic units known~~
39 ~~to be susceptible to compaction.~~ *plan.*

1 ~~(c) For areas subject to the Sustainable Groundwater~~
2 ~~Management Act (Part 2.74 (commencing with Section 10720) of~~
3 ~~Division 6), a local enforcement agency shall not approve a permit~~
4 ~~for any well unless that well is screened below the minimum~~
5 ~~thresholds applicable to that portion of the basin as established by~~
6 ~~the groundwater sustainability agency pursuant to paragraph (2)~~
7 ~~of subdivision (b) of Section 13807.2.~~

8 ~~(d)~~

9 (c) To ensure the reliability and long-term operation of water
10 wells within its jurisdiction, a local enforcement agency may
11 determine not to approve an application or grant a permit based
12 on criteria that are more stringent than those provided in this
13 section.

14 13807.4. This article does not apply to applications or permits
15 for any of the following:

16 (a) Water wells that will draw less than two acre-feet per year.

17 (b) Water wells that will be located on a parcel of five acres or
18 fewer that is in an area that has been zoned by the local land use
19 authority for rural residential use.

20 (c) Drinking water wells of an urban retail water supplier, state
21 small water system, or a community water system.

22 (d) Large-diameter, high-capacity wells for the replacement or
23 reconstruction of an existing large-diameter, high-capacity well
24 that meets all of the following conditions:

25 (1) The replacing or reconstructed well shall not have a larger
26 diameter or diameter, or shall not be used to pump more water
27 annually than the previous well.

28 (2) The well being replaced shall be abandoned prior to initial
29 operation of the replacement well.

30 (3) The replacement well is in substantially the same location
31 as the well it is replacing or is to be moved to a location that would
32 lessen impacts to domestic wells and wells that provide water for
33 state small water systems or community water systems.

34 (e) Water wells associated with, or part of, a conjunctive use or
35 water banking program, or a project that has approved
36 environmental documents consistent with the California
37 Environmental Quality Act (Division 13 (commencing with Section
38 21000) of the Public Resources Code).

1 (f) Water wells that are part of a groundwater remediation or
2 protection project that aims to address groundwater contamination,
3 water quality, or seawater intrusion.

4 (g) *Injections well associated with the water wells described in*
5 *subdivisions (e) and (f).*

6 (h) (1) *Water wells closer than one-quarter mile to a well used*
7 *for supplying domestic water if the local enforcement agency has*
8 *developed a well permitting ordinance or a well spacing ordinance*
9 *that minimizes well interference impacts on drinking water wells*
10 *and take into consideration local geologic conditions and*
11 *anticipated pumping rates of the proposed well, including, but not*
12 *limited to, well design and well seals.*

13 (2) *A local enforcement agency permitting wells described in*
14 *this subdivision shall provide a copy of the well permitting*
15 *ordinance to the department.*

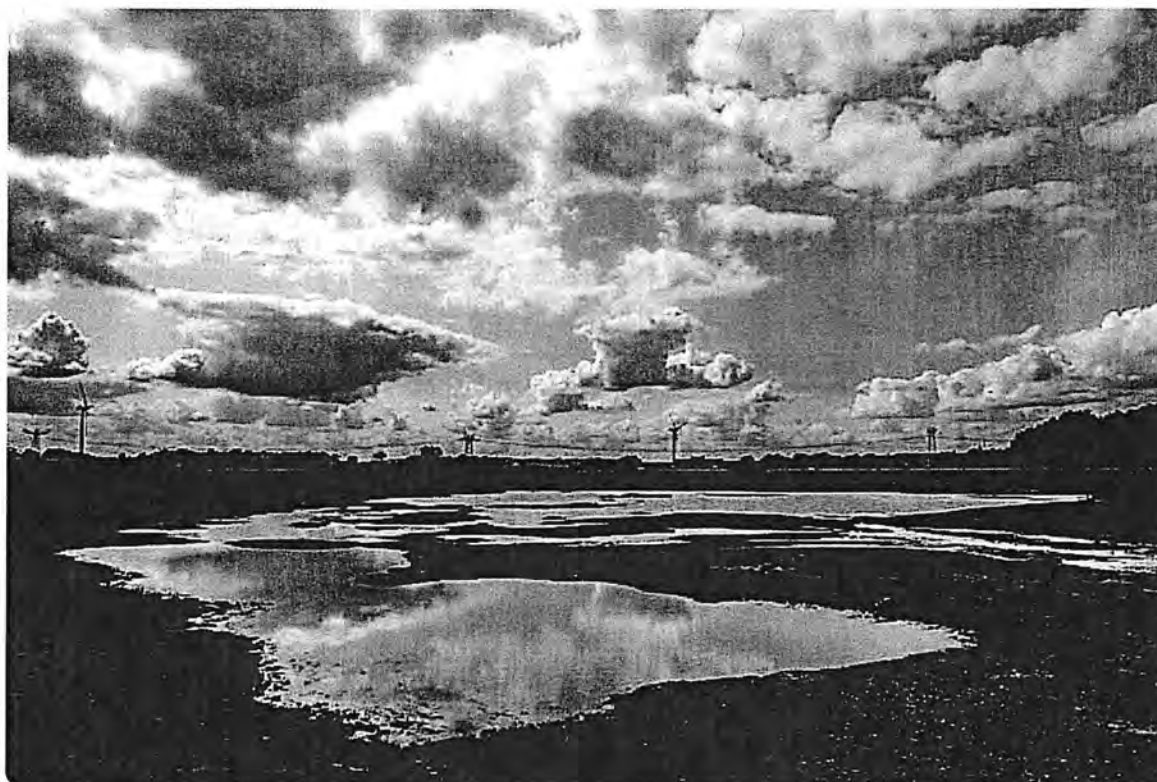
16 SEC. 3. No reimbursement is required by this act pursuant to
17 Section 6 of Article XIII B of the California Constitution because
18 a local agency or school district has the authority to levy service
19 charges, fees, or assessments sufficient to pay for the program or
20 level of service mandated by this act, within the meaning of Section
21 17556 of the Government Code.

VALLEY AG VOICE

The Local Voice for our Farmers, Ranchers and Dairy Producers since 2013

Defining the ‘Significant and Unreasonable’ Inadequacies in Subbasin GSPs

June 10, 2024



(ARCHIVE Photo: Shutterstock.com)

A closer look at State Water Board probationary hearing staff reports.

By Natalie Willis, Reporter, Valley Ag Voice

Despite varying interests and distinct stakeholder needs, one thing Groundwater Sustainability Agencies can collectively agree on is the need to avoid a probation determination from the State Water Resources Control Board.



Of the six critically overdrafted basins in the Central Valley, only the Tulare Lake Subbasin has officially been placed on probation. While the six basins cover different areas with unique water needs and landowner interests, there are several commonalities in the deficiencies the SWB found within the separate groundwater sustainability plans.

State Water Board staff has released three probationary hearing draft staff reports for the following basins — Tulare, Tule, and Kaweah. The subbasin GSPs share three specific inadequacies: chronic lowering of groundwater levels with insufficient Sustainable Management Criteria, continued land subsidence, and further degradation of groundwater quality.

LOWERING GROUNDWATER LEVELS

According to the SWB reports, achieving the sustainability objective for a basin under SGMA includes the lowering of groundwater levels as it can cause shallow wells to go dry or reduce their productivity.

For both the Tule Subbasin and Kaweah Subbasin — which will have their probationary hearings on Sept. 17 and Nov. 5, respectively — the Department of Water Resources identified three key deficiencies related to the chronic lowering of groundwater levels.

The lowering of groundwater levels indicates a “significant and unreasonable” depletion of supply, according to SWB staff. Three key deficiencies for this management criteria found within Tule and Kaweah Subbasin GSPs include insufficient goals within the GSP that allow significant impacts on domestic wells, GSP goals do not achieve sustainability, and the GSPs plan to measure progress against modeled projections rather than goals that achieve sustainability and avoid harm caused by declining groundwater levels.

Tulare Lake Subbasin’s GSP was labeled with similar deficiencies in the chronic lowering of groundwater levels. Staff concluded that the most recent GSP submitted in 2022 did not justify its approach to lowering groundwater levels, and as such was recommended for probation.

For Tule and Kaweah, SWB staff offered recommendations to address this deficiency, calling for revisions to both GSPs’ goals so that they prevent overdraft, revise how sustainability progress is measured, do not allow significant and unreasonable impacts, and add details to well mitigation and demand management plans.

LAND SUBSIDENCE

Another consideration under SGMA is avoiding “significant and unreasonable” land subsidence that interferes with surface land uses. Simply stated, subsidence is the sinking of land as a result of groundwater removal — land subsidence from excessive groundwater extraction often leads to irreversible damage to infrastructure and aqueducts.

To avoid probation, the Tule and Kaweah GSPs must clearly define how they will avoid the effects of land subsidence on critical infrastructure and ensure sustainability goals are consistent with avoiding subsidence impacts.



SWB staff built upon DWR's analysis that subsidence in the Tule and Kaweah subbasins may greatly impact the Friant-Kern Canal which delivers irrigation water to over 1 million acres of farmland.

The staff reports recommend that the GSAs develop and implement plans that avoid significant impacts on critical infrastructure due to subsidence. The Tulare Lake Subbasin's GSP failed to revise its subsidence-based inadequacies before its hearing in April.

GROUNDWATER QUALITY DEGRADATION

The degradation of water quality relates to the local drinking water supply as SGMA requires GSAs to consider the interests of all groundwater uses, including municipal well operators and public water systems.

While the DWR analysis on Degraded Water Quality in the Kaweah Subbasin's GSP did not list any deficiencies, the water board staff are concerned about the "potential impacts" that the subbasin's management actions would have on drinking water and, as such, listed it as a reason for probation.

"The GSP's goals are not well described, so it is unclear if the goals would prevent significant and unreasonable impacts," the staff report said.

The DWR analysis for the Tule Subbasin, however, did list its degraded water quality section as insufficient. Reasons included not specifying which groundwater conditions are suitable for agricultural irrigation and domestic users, not explaining how using a 10-year running average for sustainable management criteria will avoid undesirable results, and failure to explain how the criteria relate to existing groundwater regulatory requirements in the subbasin.

Tulare Lake's 2022 GSP did not adequately address its approach to Degraded Water Quality, thereby failing to remedy the third deficiency outlined by DWR.

INTERCONNECTED SURFACE WATER

The Tule and Kaweah GSPs had a fourth deficiency not included in the Tulare Lake Subbasin staff report — depletions of interconnected surface water.

Again, the DWR analysis on the Kaweah Subbasin GSP did not include this as a deficiency in their inadequate determination and acknowledged that while the section was not fully consistent with GSP Regulation requirements, the GSA's efforts to address the deficiency are adequate.

SWB staff took a reversed stance, claiming that while they acknowledge Kaweah Subbasin's efforts to address data gaps related to interconnected surface water depletions, the current GSPs do not meet SGMA requirements.

The Tule Subbasin also does not have an adequate plan to address the depletion of interconnected surface water to achieve groundwater sustainability by 2040.

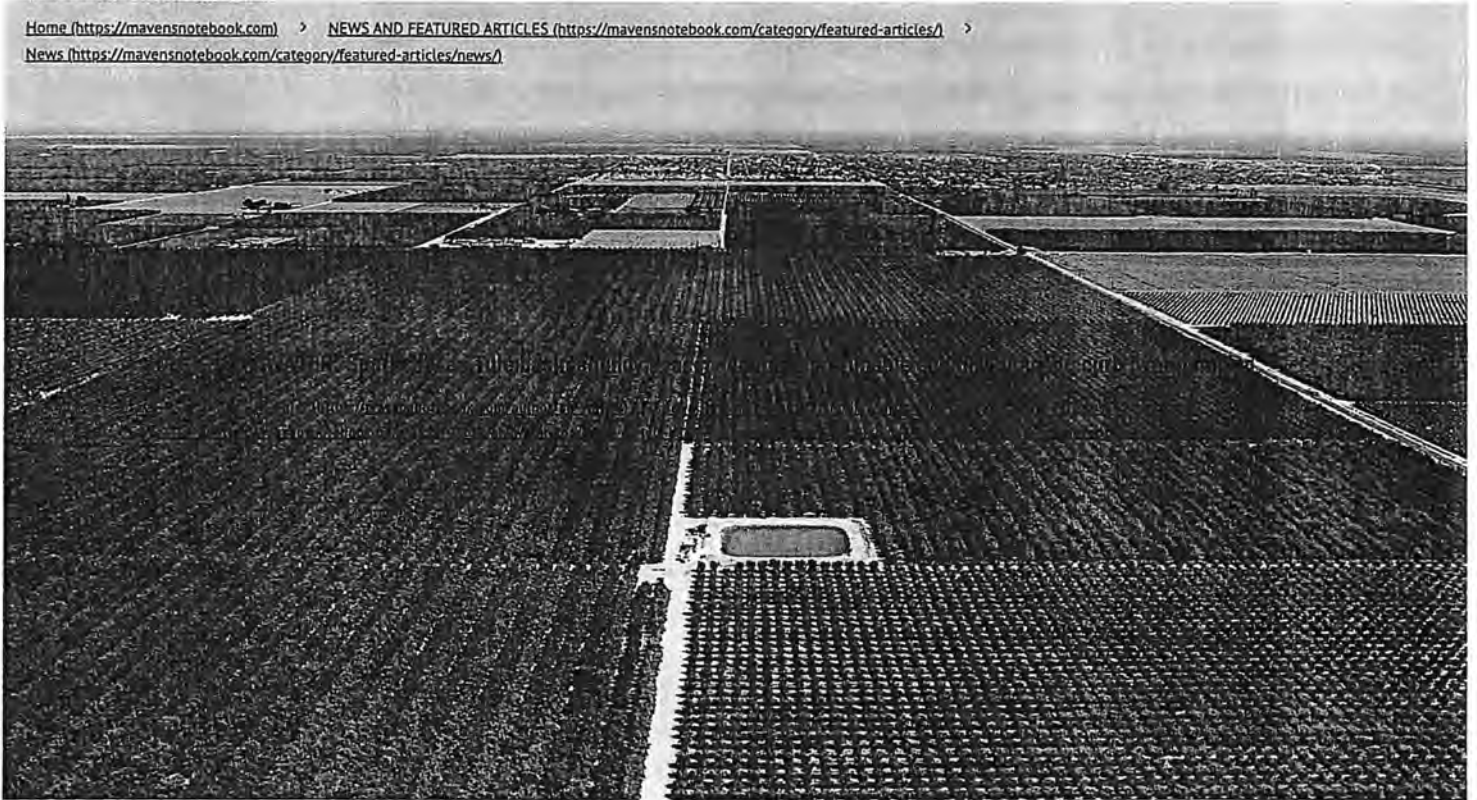




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By Lisa McEwen, SJV Water

(<https://i0.wp.com/mavensnotebook.com/wp-content/uploads/2023/10/SJV-Water-Logo.png?ssl=1>) Fireworks were already popping between board members of a key Tulare County groundwater agency recently over an 11th hour attempt to rein in pumping in the severely overdrafted area.

The main issue at the Eastern Tule Groundwater Sustainability Agency (<https://mavensnotebook.com/glossary/groundwater-sustainability-agency/>) (GSA) meeting June 6 was whether to require farmers in subsidence prone areas to install meters and report their extractions to the agency, which is being blamed for almost single handedly putting the entire subbasin in jeopardy of a state takeover.

"I don't know why we're sitting here massaging this thing knowing damn well the state told us to do this," said Eastern Tule board member Matt Leider of requiring the meters.

But fellow board member Eric Borba poooh poohed the need for urgency, suggesting the board take things "one step at a time."

"I think a voluntary program is a great idea," he said. "You all want to use the stick when we should use the carrot."

With a probationary hearing set for Sept. 17 at the state Water Resources Control Board, the enforcement arm of the Sustainable Groundwater Management Act (SGMA), board member Don Weyhrauch felt the soft approach was pointless.

"A carrot or a stick will not make any difference at this stage," he shot back at Borba.

"It does for farmers," Borba said.

In the end, the Eastern Tule board voted 6-0 to require all landowners in the subsidence management area along the canal to meter their wells and report extractions by January 1.

That requirement does not extend to landowners in the rest of Eastern Tule, just the subsidence management area.



Frustration among board members during the 45-minute meter discussion was evident.

"We've literally been told a gazillion times now to meter everything in the subsidence zone," said a clearly exasperated Leider, who also serves as a board member on the Tea Pot Dome Water District. "It's the month of June. Our hearing is in September. I think you're just asking for trouble. I don't see anybody in this room that has the ability to turn the tide of the state board, and that's one of the reasons why Tea Pot has exercised its right to leave the GSA."

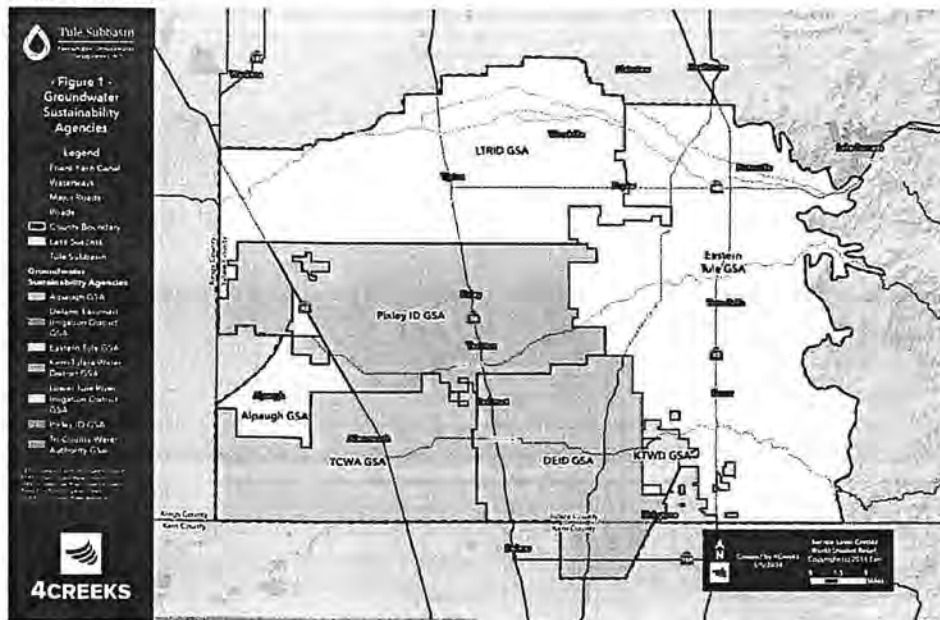
He referred to votes taken [June 3 by Tea Pot Dome and neighboring Vandalia Water District](https://sjwater.org/two-tulare-county-water-agencies-vote-to-take-control-of-their-own-groundwater-destiny/) to leave the Eastern Tule GSA and form their own groundwater agency to show the state they are acting in good faith.

The hope is the state will exempt "good actors" if the board puts the rest of the Tule subbasin on probation, the first step toward a possible state takeover of regional pumping. The Water Board did not extend the good actor clause in its vote to put the Tulare Lake subbasin (basically all of Kings County) on probation April 16. And Water Board staff have recommended against any exemptions in the Tule subbasin as well.

Numerous critics, including the Friant Water Authority, have accused Eastern Tule of dragging its feet to stem over pumping and employing [questionable groundwater accounting policies](https://sjwater.org/counting-groundwater-the-devil-is-in-the-details/) that not only incentivized more pumping but could have significantly enriched select landowners with [surface water](https://mavensnotebook.com/glossary/surface-water/) supplies.

Eastern Tule has responded that it is working hard to get farmers who've never paid water fees nor land assessments to comply with the state's new groundwater mandate.

There are only five water districts within Eastern Tule including Tea Pot Dome, Vandalia and the Saucelito, Terra Bella and Porterville irrigation districts. The Kern-Tulare Irrigation District was part of the GSA but [left earlier this year](https://sjwater.org/water-district-between-two-counties-and-two-subbasins-forges-its-own-groundwater-sustainability-path/) to form its own GSA.



That means the vast majority of land in Eastern Tule is not in a water district, which collects assessments and fees from farmers to import water. Instead, most Eastern Tule farmers have always relied almost exclusively on groundwater.

"The problem is we've got some people out there who won't tell us what's going on," said Eastern Tule board member John Corkins, who represents farmers in those non-districted lands. "And we need teeth like this to go after them. We want to get the bad actors first, and then the good actors will come along."

He favored the ultimately successful motion to require meters on the wells in the subsidence zone.

Others felt that was too little, too late.

Metering all wells was recommended by Eastern Tule's own advisory committee, noted John Michael Domondon, a board member on the Lower Tule Irrigation District.

And the Water Board staff report that has urged probation for the entire Tule subbasin – largely because of ongoing damage to the Friant-Kern Canal – plainly recommended meters on all ag wells.

In a letter to the Eastern Tule board, Friant Water Authority chief operating officer Johnny Amaral criticized what he felt was the GSA's lackadaisical approach to arresting subsidence, which caused a 33-mile sag that forced the construction of a parallel canal to maintain water deliveries. And now that new canal is sinking from continued over pumping, [prompting Friant Water Authority to sue](https://sjwater.org/newly-rebuilt-friant-kern-canal-still-sinking-from-overpumping-tulare-farmers-not-paying-their-share-for-the-fix-lawsuit-alleges/) Eastern Tule earlier this year.

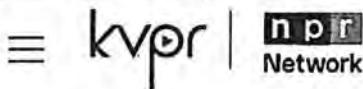
"Unless the ETGSA board provides clear direction to its staff to come back with amendments consistent with the State Water Board staff recommendations, the record of this meeting will further demonstrate to the State Water Board that ETGSA is unable and unwilling to sustainably manage groundwater in its jurisdiction," Amaral wrote.

SJV Water is a nonprofit, independent online news publication covering water in the San Joaquin Valley. Lois Henry is the CEO/Editor of SJV Water. She can be reached at lois.henry@sjwater.org. The website is www.sjwater.org.

Two Tulare County water agencies vote to take control of their own groundwater destiny

SJV Water | By Lisa McEwen, SJV Water

Published June 10, 2024 at 4:21 PM PDT



Donate

Board members of the Tea Pot Dome Water District discuss forming their own groundwater agency, breaking away from the Eastern Tule GSA, on Monday, June 3, 2024.

Two water districts voted to break away from the Eastern Tule Groundwater Sustainability Agency Monday, June 3, clearing a path for them to form their own agencies and groundwater plans in the next six months.

The move allows the Tea Pot Dome and Vandalia water districts to distance themselves from Eastern Tule GSA, whose groundwater management practices and those of the other four GSAs in the Tule subbasin are coming under scrutiny and possible probation by the state Water Resources Control Board where a probationary hearing is set for Sept. 17.

Eastern Tule, in particular, has also been criticized for its groundwater accounting policies, which some have said allow overpumping to continue unabated.

The hearing comes after the state found the Tule subbasin's initial two groundwater plans inadequate to protect domestic wells and stop rampant subsidence, or land sinking. Probation is the first step toward a possible state pumping takeover.

Vandalia Water District board member Dyson Schneider said while the district has appreciated the ability to work with surrounding landowners during the first ten years of the Sustainable Groundwater Management Act (SGMA), the time has come to part ways.

"It has become increasingly clear that our district needs to take direct responsibility for groundwater management in our district," he wrote in a prepared statement.

A large swath of Eastern Tule's lands are undistricted, meaning growers there are solely reliant on groundwater. Conversely, Tea Pot Dome and Vandalia landowners, the majority of whom grow citrus, almonds and pistachios in the eastern Tulare County flatlands, have access to surface water. Tea Pot Dome receives from the Friant-Kern Canal, which carries water 152 miles from Millerton Lake to Kern County. Vandalia landowners get their surface water from the Tule River.

Excessive groundwater pumping, and resulting subsidence, is the crux of a lawsuit brought by Friant Water Authority against Eastern Tule. It claims the GSA's policies have been lax, allowing excessive pumping to further damage the canal, which had to be rebuilt after subsidence caused a 33-mile sag that crimped its carrying capacity by 60%.

Neither district exiting Eastern Tule addressed those issues Monday.

Tea Pot Dome board member Matt Leider said autonomy will allow the district to take better care of its landowners.

"Taking independent responsibility for groundwater management will allow us to adopt rules and regulations for groundwater use that more directly align with our district's unique position of being water-balanced, due to our significant surface water supplies," Leider said.

Leider was referring to a joint agreement the two districts have with Lower Tule River Irrigation District for surface water delivery operations, which they plan to expand to groundwater management. Such synergies "do not exist within ETGSA," a press release

Coordination among GSAs in a subbasin is critical for groundwater plan approval by the state board to either avoid or exit probation. To that end, Tea Pot Dome, Vandalia and Lower Tule are also considering submitting a joint groundwater plan to the state.

Eastern Tule general manager Rogelio Caudillo said he was surprised to learn of Tea Pot Dome and Vandalia's decisions to withdraw from the GSA.

"Regardless of what the districts decide, ETGSA will continue to work with Tea Pot Dome and Vandalia to sustainably manage the Tule Subbasin, and we will continue to work with our landowners and neighbors to ensure appropriate coverage for the districts' areas under the Sustainable Groundwater Management Act," he wrote in an email.

Paul Gosselin, deputy director of the Department of Water Resources, said in an interview before Tea Pot Dome and Vandalia's exits that a key tenet of SGMA is local control. Over the last decade of the law, water agencies have adjusted boundaries, partnerships and agreements with each other in their quest toward sustainability.

"We have over 300-plus agencies that cover every conceivable arrangement," he said in a May 29 interview. "It's really up to the locals. We help them stay in compliance on the mechanics of adjusting what agencies are in which basins and how they're set up. We don't take a view on how they do it as long as basins are fully covered by one or more GSAs."

SJV Water is a nonprofit, independent online news publication covering water in the San Joaquin Valley. Lois Henry is the CEO/Editor of SJV Water. She can be reached at lois.henry@sjvwater.org. The website is www.sjvwater.org

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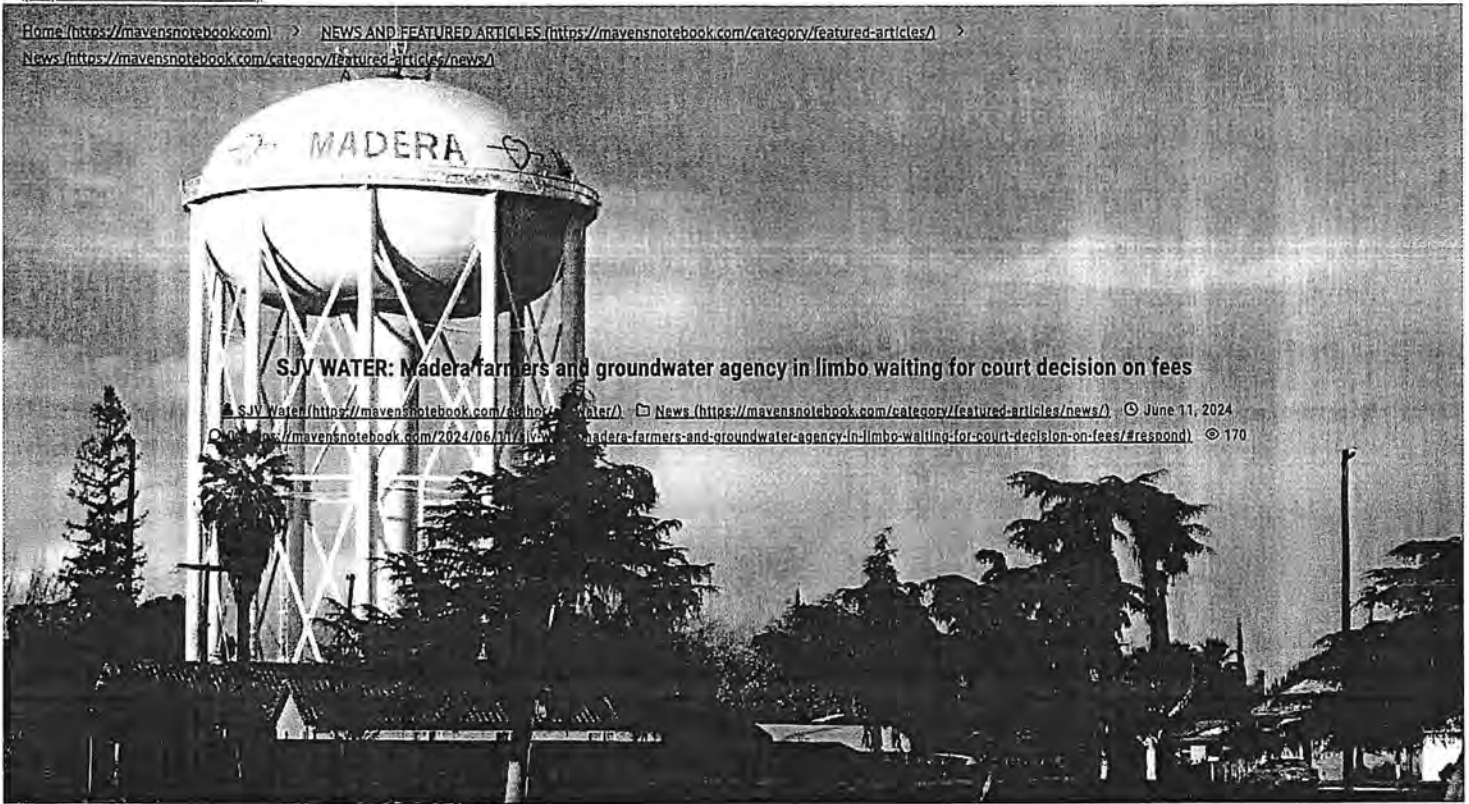
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SJV WATER: Madera farmers and groundwater agency in limbo waiting for court decision on fees

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Hannah Frances Johansson, SJV Water

(<https://i0.wp.com/mavensnotebook.com/wp-content/uploads/2023/10/SJV-Water-Logo.png?ssl=1>) The end of a two-year legal fight over who should pay, and how much, to replenish the groundwater beneath Madera County could be in sight.

A motion to dismiss the lawsuit by a group of farmers against the county is set to be heard June 18.

The outcome could determine whether Madera County, which acts as the groundwater sustainability agency (<https://mavensnotebook.com/glossary/groundwater-sustainability-agency/>) (GSA) for hundreds of thousands of acres across three water subbasins, can finally move forward on a host of projects to improve the water table per the Sustainable Groundwater Management Act (SGMA).

From the farmers' point of view, the outcome of this case could make or break their farms, some that have been in their families for generations.

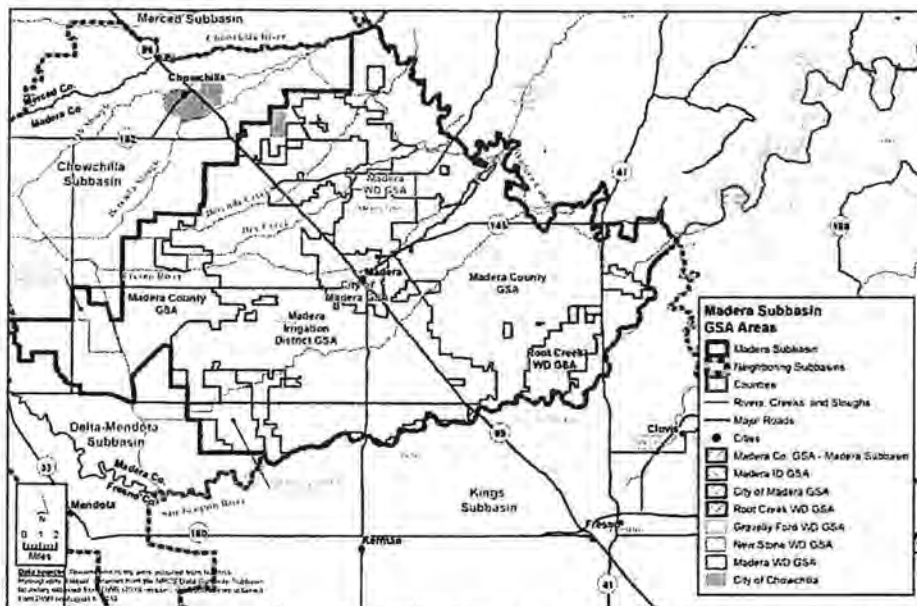
The crux of the lawsuit is the county's use of what's called a Proposition 218 election to assess fees on land within its jurisdiction. Those fees were to be used to pay for projects to reduce pumping and build water reserves – all projects outlined in Madera's groundwater plan, which the state approved in late 2023 (<https://sjvwater.org/surprised-and-overjoyed-groundwater-managers-in-madera-rejoice-at-states-approval-of-their-plan-to-stabilize-the-regions-aquifer/>).



Race to the bottom

Under SGMA, all lands in over drafted subbasins have to be administered by a groundwater sustainability agency (GSA). Most GSAs were formed within or among existing agricultural water districts. But lands outside water districts had to come under special management zones within GSAs or other government entities.

In Madera, the county took on management of those non-districted lands, about 215,000 acres across three different groundwater basins.



The Madera subbasin includes 7 groundwater sustainability agencies. All must be coordinated for groundwater plans to be considered acceptable. SOURCE: Madera County Dept. Water & Natural Resources

Farmers on non-districted lands have never paid land assessment fees (<https://sjywater.org/madera-farmers-may-be-facing-a-steep-bill-under-county-efforts-to-stem-the-groundwater-overdraft/>) to water districts to import water and often rely almost exclusively on groundwater.

As lucrative permanent crops, such as almonds and pistachios, exploded across the San Joaquin Valley, the pull on groundwater deepened.

Then the 2012-2016 drought hit, the worst in recorded California history, and people's wells started going dry.

Madera County suffered a large number of domestic wells going dry during the drought and currently has the highest number of reported dry domestic wells in the state.

Subsidence, land sinking, has also been exacerbated by excessive groundwater pumping and wreaked havoc on local infrastructure.

SGMA was passed in 2014, largely as a result of what happened in the San Joaquin Valley.

Double whammy

The state's first-ever attempt at regulating groundwater has been tricky across the board, but it set farmers in non-districted lands up for a double whammy – suddenly they had to pay new fees and adhere to restricted pumping allocations.

The Madera County GSA tried to institute land assessment fees in each of the three subbasins it covers, including the Chowchilla, Delta-Mendota and Madera subbasins.

In the Madera subbasin, the county set fees as high as \$246 per acre per year. That money was intended to fund projects so it could pay to buy surface water (<https://mavensnotebook.com/glossary/surface-water/>), build recharge basins, pay to fix domestic wells and compensate farmers to fallow land.

"A gun to our heads"

But the fees frightened and angered numerous growers who felt blindsided by the county's actions. They showed up to protest at a county board of supervisors meeting to certify the results of the Proposition 218 election, which is required when new or increased land assessment fees are imposed.

"You people are putting a gun to our heads (https://youtube.com/clip/UgkxhOyXzm2wkpPc020MdNZ25rQ8dx_0IS4?si=WZ13rLZpXzudDx-Q)" one woman yelled into the podium microphone at the meeting in June 2022, the day the fees were enacted.

"You can't pay the chemical bills no more. You can't pay the water bills no more. You can't pay the hired help no more," the woman continued as the crowd broke into applause. "This will kill us."

Later in the meeting, the clerk announced that landowners in the Chowchilla subbasin had voted down the fees.

But landowners in the Delta-Mendota subbasin had failed to vote down an assessment of \$138 per acre. And landowners in the Madera subbasin had failed to vote down the \$246-per-acre fee.

A group of farmers banded, now called the California United Water Coalition, sued saying the use of a Proposition 218 election was improper.



Excessive groundwater pumping caused the land to sink beneath this bridge over the Eastside Bypass between Firebaugh and Madera. Concrete posts that used to support the bridge, sank along with the land and had to be replaced. Lois Henry / SJV Water

Proposition 218 allows government entities, including GSAs and water districts, to impose property-related fees without a general election. To strike down the fees, landowners needed to submit a majority protest to the County before the deadline. Otherwise, the fees passed.

The Coalition **won an injunction** (<https://sjvwater.org/court-pauses-groundwater-fees-in-madera-county-throws-regional-plans-into-question/>) against the fees and have been waiting for a trial, which was originally set for July 2. But last month the county filed a motion to dismiss the case, which will be heard on June 18.

The group knows that change is necessary to curb overpumping, but objects to the use of Proposition 218, to impose the fees.

Make or break fees

The Coalition says the county did a poor job reaching out to inform landowners what was happening. And they object specifically to how tenant farmers, those who lease their land, were left in the dark, unsure if they were eligible to submit protest votes.

The county says it went "above and beyond" to notify eligible voters of the upcoming election.

"It's like ten angry people and some of them have a lot of money," said Stephanie Anagonson, director of water and natural resources for Madera County. "They sent mailers that were misleading and bought billboards calling it a tax and telling people to protest. So if people missed the memo and didn't understand, they were under a rock."

Farmer and Coalition leader **Ralph Pistorosi** (<https://thebusinessjournal.com/how-a-madera-farmer-fought-a-new-groundwater-fee-and-sort-of-won/>) sees it differently.

He helped galvanize opposition to the fees after discovering the county's notice, a flier that was on its way to the trash before his mother brought it to his attention. Pistorosi then sent out his own notices urging people to vote.

From the Coalition's perspective, the injunction has provided a two year period of reprieve. Some farmers believe that the fees, if the injunction is lifted, will force their farms to go under, impacting Madera County's economy as a whole.

"We'd be out of business," said Matthew Nonini, a farmer named in the lawsuit, who leases a little more than 100 acres in the Madera County GSA. "There's not a crop you can grow today to make a return that's going to be able to pay those fees."

Nonini said his family has been farming since 1909.

Cost of doing business

Others believe in the inevitability of SGMA, but disagree with the County's approach.

"The way we've been doing things for the last 20 or 30 years – we can't do that continuing forward," said Karun Samran, from Bapu Farming Co. Samran was recently elected to serve on the Board of the Chowchilla Water District. "SGMA just changed everything."

Sarah Woolf, a manager of the Triangle T Water District, which relies heavily on groundwater, said the fees are necessary.

"We have to figure out how to make this work. If you can't, then you're not going to be in business. That's just the economics," Woolf said. "Every GSA is collecting fees."

From the perspective of the County, the injunction has left the groundwater agency without the funds it needs to implement projects. It filed the motion to dismiss the case, saying the lawsuit had clear errors.

"We can't do the large-scale infrastructure for recharge other than what we have grants to pay for. We can't purchase [surface] water. We have a land repurposing program that we don't have funding for," Anagonson said.

"We got a lot of funding early on (<https://sjvwater.org/vulnerable-domestic-wells-will-be-focus-of-10-million-farmland-retirement-grant-in-madera-county/>), more than other places did, and I think it gave people the impression that SGMA was free."

This conflict has slowed SGMA's already glacial rollout, which has left residents in water vulnerable areas just as vulnerable as before.

The big picture

The County's decision to file a motion to dismiss the lawsuit comes on the heels of an appellate court decision in the case of a large pistachio grower in Ridgecrest who refused to pay fees of more than \$2,000 per acre-foot for groundwater.

For the first time in a SGMA-related case, the courts upheld the "pay first, litigate later" rule, which has a long history of legal precedent.

The Madera County GSA believes this should apply to the injunction against its fees.

In an email to growers, Anagonson stated that if the injunction is lifted, fees will not necessarily apply immediately or retroactively. The county is also looking for ways to reduce fees.

"One purpose of the fees is to ensure that the region has water for farmers long term," the County's lawyers wrote in their reply for motion for Judgement.

These lawsuits are among a handful of SGMA-related cases making their way through courts across California.

Left on the sidelines

Residents of Fairmead, an unincorporated low income community, [saw their wells go dry](https://sjvwater.org/video-how-some-valley-residents-cope-as-their-homes-teeter-on-the-brink-of-going-dry/) starting around 2014. A community organization,

Fairmead Community and Friends, brought in help from outside organizations to get drinking water to homes.

Many took out loans and put liens on their houses to drill their wells deeper. Some moved away, and a handful of people are still reliant on bottled water and water trucks for basic household functions.

"If we don't learn from it and start doing something different, then it's going to happen again," said Vickie Ortiz, long-time resident of Fairmead and secretary of Fairmead Community and Friends. "The drought's going to happen again."

SJV Water is a nonprofit, independent online news publication covering water in the San Joaquin Valley. Lois Henry is the CEO/Editor of SJV Water. She can be reached at lois.henry@sjvwater.org. The website is www.sjvwater.org.



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California's largest reservoir project in decades clears environmental court challenge

THE SACRAMENTO BEE

ARI PLACHTA

June 4, 2024 at 2:36 PM



Randy Pench/rpench@sacbee.com

California is one step closer to building its largest water storage facility in nearly 50 years, after a court ruled in favor of the Sites Reservoir project following a challenge by environmental groups.

The Yolo County Superior Court issued the 65 page ruling late last week, marking a possible end to the project's environmental litigation. The relatively quick ruling stands in contrast to a typical, multi-year litigation period under the Environmental Quality Act (CEQA).

Gov. Gavin Newsom accelerated the project's CEQA litigation period in November under an infrastructure streamlining package passed the previous summer. He celebrated the court's ruling in a news release Tuesday.

"California needs more water storage, and we have no time to waste — projects like the Sites Reservoir will capture rain and snow runoff to supply millions of homes with clean drinking water," Newsom said.

The proposed \$4.5 billion reservoir would inundate nearly 14,000 acres of ranch lands in Glenn and Colusa counties to store water diverted from the Sacramento River through new a system of dams, pipelines and a bridge.

With a maximum capacity of 1.5 million acre-feet of water, proponents say Sites will boost storage amid unpredictable climate swings. Critics warn it will threaten river habitat for fish and other wildlife and lead to minimal water storage benefits.

The lawsuit against the project was filed by a coalition of environmental groups including Friends of the River, Center for Biological Diversity, Save California Salmon and the Sierra Club.

They argued that the project's claimed environmental impacts are underestimated and that the state failed to consider alternatives to achieving its water storage goals.

But the court found that the environmental review of the project and consideration of alternatives was sufficient, and within the jurisdiction of the Sites Reservoir Authority.

“Sadly, the court found that the Sites final Environmental Impact Report was a legally adequate document,” said Keiko Mertz, policy director at Friends of the River. “We still believe there were significant flaws, including that it doesn’t provide an alternative that protects fish and wildlife.”

The coalition of environmental groups have 5 days to appeal the ruling issued Friday.

The court ruling marks the first time a CEQA process has been streamlined under Newsom’s SB 149, which allows the governor to certify certain projects for judicial fast tracking. Under the law, courts must decide CEQA challenges within 270 days.

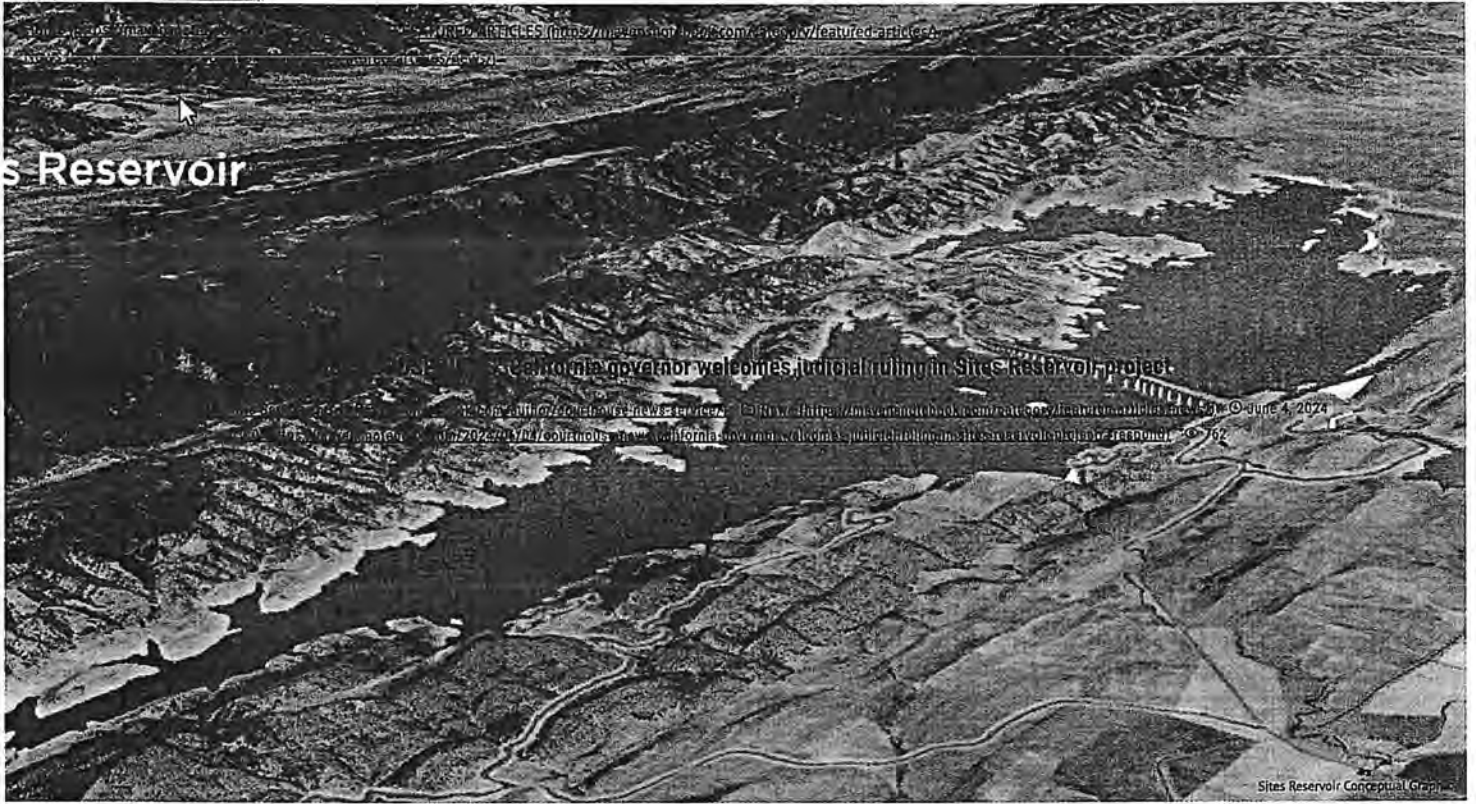
Sites Reservoir is currently acquiring a multitude of state and federal permits to start construction, which is expected to begin late 2026.

That includes a water rights process with the state Water Resources Control Board, which will kick off public hearings later this month. Water rights hearings are scheduled to take place over several days and extend through October.

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Governor Gavin Newsom on Tuesday noted that judges must rule on certain CEQA challenges within 270 days under a streamlining tool. This ruling occurred in under 150 days.

By Alan Riquelmy, Courthouse News Service

(<https://0.wp.com/mavensnotebook.com/wp-content/uploads/2023/09/Courthouse-News-Service.png?ssl=1>) California Governor Gavin Newsom on Tuesday praised a judge's decision that denied a move to stop the Sites Reservoir project based on state environmental law, pointing to a streamlined legal process that led to the quick ruling.



COURTHOUSE NEWS SERVICE

Conservation groups had sued over the proposed reservoir, some 80 miles northwest of Sacramento, arguing that it would threaten fish and increase greenhouse gas pollution. They said the reservoir would divert water from the Sacramento River system, which has salmon and steelhead fish.

The groups had argued that the Yolo County Superior Court judge in the case should determine the certification of the final impact report and project approval were invalid, as they didn't meet the requirements of the [California Environmental Quality Act \(https://mavensnotebook.com/glossary/ceqa/\)](https://mavensnotebook.com/glossary/ceqa/), or CEQA.

Judge Samuel T. McAdam [ruled in favor \(https://www.courthousenews.com/wp-content/uploads/2024/06/sites-ceqa-ruling.pdf\)](https://www.courthousenews.com/wp-content/uploads/2024/06/sites-ceqa-ruling.pdf) of the Sites Project Authority on Friday.

"California needs more water storage, and we have no time to waste — projects like the Sites Reservoir will capture rain and snow runoff to supply millions of homes with clean drinking water," Newsom said in a statement. "We're approaching this work with urgency, everything from water storage to clean energy and transportation projects."

Newsom also pointed to a project streamlining tool he used which requires judges to rule on CEQA challenges within 270 days, when feasible. McAdam issued his ruling in under 150 days.

The governor has pointed to the need for the Sites Reservoir, which will capture water during the rainy season and store it during drier times. It'll be able to hold up to 1.5 million acre-feet of water — an amount that could sustain the needs of 3 million homes for a year.

The project has \$46.75 million in funding from the state so far. It's eligible for \$875.4 million in Proposition 1 funding. That measure was passed in 2014 and authorized \$2.7 billion in water storage project investments.

The Sites project has an estimated cost of \$4 billion.

Newsom has said the project will help the state sustain its water supply as it battles climate change, weather extremes and water scarcity. It's also anticipated that Sites will raise Northern California's water capacity by up to 15%, improve the ecosystem and provide recreational opportunities.

Its detractors, like Friends of the River — one of the groups that filed suit — argued that the project would harm the environment and mostly benefit its investors, not the public.

The reservoir itself will be in parts of rural Glenn and Colusa counties, with other aspects of the project in Tehama, Glenn, Colusa and Yolo counties. The suit was filed (<https://www.courthousenews.com/conservation-groups-sue-over-sites-reservoir-project/>) in December.

The conservation groups, among other things, asked for the judge to require a new environmental impact report for the project and stop any activity that would affect the land until it complied with CEQA.

In their petition, they argued that the environmental report relied on an inaccurate environmental baseline (<https://mavensnotebook.com/glossary/baseline/>), didn't consider reasonable alternatives, didn't give a proper description of the project area and relied on an inaccurate project description.

The judge disagreed with those arguments.

McAdam in his ruling found that the conservation groups had the burden to show the environmental baseline wasn't supported by evidence. They didn't. The groups also didn't convince the judge that the authority didn't properly examine alternatives.

"Furthermore, it is petitioners' burden to demonstrate that the alternatives analysis is deficient," the judge wrote. "Petitioners have not met this burden."

Concerning the project area's description, McAdam wrote that the authority used field tested, species-specific surveys before construction. The groups argued that the authority "could have" used helicopter surveys.

Citing case law when denying this argument, the judge wrote that judges don't weigh the correctness of an environmental report's conclusions, only its sufficiency.

Finally, McAdam found that "the 'technical, economic, and environmental characteristics' of the project are described, articulated, and illustrated" in compliance with the proper guidelines.

"Sadly, the court found that the Sites (final environmental impact report) was a legally adequate document," said Keiko Mertz, policy director with Friends of the River, in a statement. "We still believe there were significant flaws, including that the (report) doesn't provide an alternative that protects fish and wildlife."

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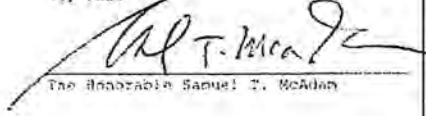
YOLO SUPERIOR COURT FOR THE STATE OF CALIFORNIA

FRIENDS OF THE RIVER, et al.)	Case No. 07-2023-0026
Petitioners,)	ORDER DENYING PETITION FOR WRIT OF
vs.)	MANDATE
SITES PROJECT AUTHORITY, et al.)	
Respondents.)	

Upon review of the entire record and after oral argument by the parties on the petition and with a complete analysis of the issues presented, the Court issues the following order. For the reasons set forth in the attached memorandum, the petition for writ of mandate is DENIED.

IT IS SO ORDERED.

Signed in Woodland, California on May 31, 2024


The Honorable Samuel T. McAdam

ORDER DENYING PETITION FOR WRIT OF MANDATE - 1


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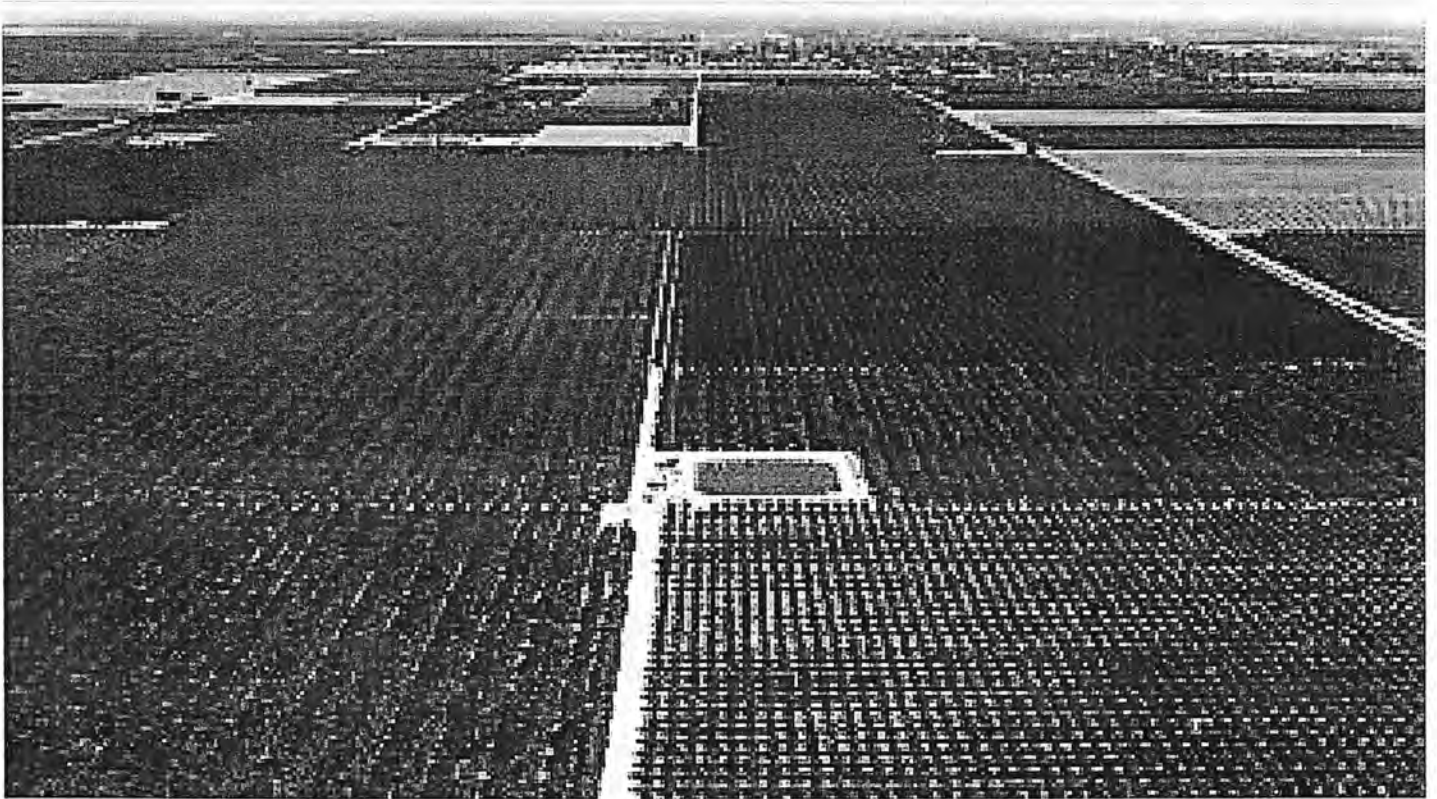
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Monthly Briefing

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

House Ag Committee Advances 2024 Farm Bill

The GOP-led House Agriculture Committee just before the holiday weekend conducted a marathon markup on its 2024 farm bill that started at 11:00 a.m. on May 23 and didn't wrap up until after midnight, May 24.

By the time the dust settled, the bill passed the committee by a 33-21 vote, with four Democrats – Reps. Bishop (GA), Caraveo (COLORADO), Davis (KANSAS) and Sorensen (IL) - joining all of the committee Republicans to advance the bill to a House floor vote.

"Critics have wasted a lot of breath telling me what can't be done, and last night the House Committee on Agriculture proved them wrong," said Committee Chairman GT Thompson (R-Penn) in a statement following the hearing. "I want to commend Reps. Caraveo, Davis, Sorensen, and Bishop for their willingness to see through the hyperbolic partisan rhetoric and help advance the Farm, Food, and National Security Act of 2024."

The House's \$1.5 trillion Farm Bill spans 677 pages and

covers various programs, including nutrition assistance and conservation efforts.



Key Contentious Issues

Most of the contentious debate occurred during the discussion of the nutrition title and changes to the Supplemental Nutrition Assistance Program, or SNAP. There are wide disagreements between the Congressional Budget Office and House leadership over how much money the proposed changes to SNAP in the House bill would actually save. The GOP proposes making SNAP cost-neutral, which

Democrats argue could effectively cut \$30 billion in benefits over a decade.

"I have heard my colleagues say that this is not a SNAP cut," said Rep. Salud Carbajal (D-CALIFORNIA). "But dozens of outside experts disagree."

The bill also limits updates to the Thrifty Food Plan based on the cost of living.

Continued on Page 2

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House Ag Committee Farm Bill Markup (*Cont'd from Page 1*)

Republicans also rejected a Democrat-led effort to preserve conservation programs' focus on farming practices that reduce greenhouse gas emissions (*E&E Daily*).

Democrats want to maintain climate-focused restrictions. Republicans aim to rescind conservation funding from the Inflation Reduction Act (IRA) and redirect it to locally led conservation efforts.

"We have some really good things that are not eligible under IRA climate-smart policy," said Rep. Doug LaMalfa (R-CALIFORNIA).

The use of Commodity Credit Corporation (CCC) Program is also a divisive issue. The House bill limits discretionary spending by the CCC to operations authorized by Congress, reallocating savings to commodity and crop insurance programs. Senate Democrats are proposing a 15-day notice for CCC spending and extending its authority to support conservation programs.

Reaction from Industry and Non-Farm Interests

Following the introduction of the *Farm, Food, and National Security Act of 2024*, many industry and stakeholder groups came out in support of the legislation.

"We are very pleased with the Farm Bill framework released by House Agriculture Committee Chairman Glenn 'GT' Thompson," said Ethan Lane, Vice President of Government Affairs, National Cattlemen's Beef Association. "We are especially pleased by the Chairman's focus on voluntary conservation programs that are increasingly popular with cattle producers, animal health provisions that protect the U.S. cattle herd, and investments in food security that support our broader national security."

The American Farm Bureau Federation (AFBF) also expressed appreciation to Chairman Thompson for his committee's work in drafting a "new, modernized" farm bill.

"America's farmers and ranchers need the stability that the farm bill provides so they can withstand the unforeseen challenges of growing the food, fuel and fiber America's families rely on," said Zippy Duvall, AFBF President. "We hope to see the Senate Agriculture Committee's version soon so we can move forward with getting the farm bill passed. It's too important to wait."

Other NGOs with climate and animal rights priorities are lining up against the House farm bill.

"US producers, conservationists, and communities expect a bill that provides sound investments to reverse the conversion of critical ecosystems, halt food loss and waste, and conserve biodiversity and advance nature-based climate solutions," said World Wildlife Fund (WWF) senior vice president Alejandro Pérez. "WWF urges Congress to find common ground and pass a bipartisan Farm Bill."

The American Society for the Prevention of Cruelty to Animals (ASPCA) opposes the House version because they object to the inclusion of the EATS Act language, which would target state regulations on "covered livestock," including the meat and dairy industries.

"If this language stays in the Farm Bill, millions of farm animals will be forced back into inhumane cages while thousands of independent, higher-welfare farmers will be further disadvantaged in an already incredibly consolidated market-

place unfairly dominated by factory farming," ASPCA said in a May 24 press release.

Alliance Farm Bill Priorities

The Family Farm Alliance for the past three farm bills has worked with its partners in the Western Agriculture and Conservation Coalition (WACC) to advocate primarily on the conservation programs authorized in Title 2 of the Farm Bill, like the Regional Conservation Partnership Program (RCPP) and the Watershed Protection and Flood Prevention Program (P.L.566).

The Alliance and its agricultural partners have also advocated for removal of income limitations to participate in Title 2 programs and for provisions that encourage more active management of the West's drying and dying forests.

Two important contracting and procurement provisions are included in the House bill: 1) Direction to USDA to streamline RCPP partnership agreements and set various timelines for administrative actions and decisions; and 2) Allowance for up to 10% of the funds for an RCPP partnership agreement to reimburse the partner for administrative expenses related to the project.

"The new language would put things more in line with traditional federal funding," said Alliance Executive Director Dan Keppen.

The PL-566 provisions in the conservation title raise concerns, since they appear to prioritize flood control dam rehabilitation projects over watershed activities that address drought and water conservation. However, the House Farm Bill would provide \$150 million more per year for the program.

The House farm bill eliminates the Adjusted Gross Income (AGI) limitation for all conservation programs in Title 1 and Title 2. Current AGI limitations preclude many family-owned operations from participating in voluntary conservation programs and compromise producers' ability to avail themselves of much-needed disaster programs. The bill removes the AGI limitations (which is currently \$900,000) for program participants that earn 75% or more of their income from agriculture.

"This represents a win for the WACC, and for many American producers who want to do more conservation work," said Mr. Keppen.

The forestry title in the House bill would authorize expanded use of categorical exclusions for certain forest health treatments up to 10,000 acres for insect and disease, wildfire resilience, and fuel breaks. Among other things, it also reauthorizes and improves the Water Source Protection Program, which a diverse coalition that included the Alliance asked for earlier this year.

Next Steps for the WACC

House Ag Committee Chair GT Thompson said after the markup that he expects the House will handle appropriations bills first and that he wouldn't object to waiting until September to get the farm bill to the floor for a vote (*E&E Daily*).

Continued on Page 3

ALFALFA 101: The Alliance's new educational web page

As Western farmers struggle to find adequate water supplies, competing interests are pressuring the federal government to cut the water supply producers are using to grow domestic-produced food, including alfalfa, which is a foundational food chain crop.

"Alfalfa is important to rural communities, and it is grown throughout the West for good reasons," said Dan Keppen, Family Farm Alliance Executive Director.

The mainstream media in the past two years has been obsessed with the amount of water that goes to producing alfalfa and other important forage crops in the West. The Colorado River right now is a favorite topic of environmental journalists, as state, federal and tribal decision-makers are scrambling to negotiate a long-term river operating agreement to replace the current one that expires in 2026.

"Over the past two years, we've witnessed a steady stream of media coverage, essentially carrying a similar message: Growing less hay is the only way to keep the Colorado River's water system from collapsing," Mr. Keppen recently wrote in a blog.

With the growing disconnect between the consumers, farmers, and the agricultural processes that sustain the world, the Alliance believes there is a need to bridge this knowledge gap and enlighten the public about the significance of farm water in American food production – including alfalfa and forage crops.

Towards that end, the Alliance has developed a new webpage – www.familyfarmalliance.org/alfalfa/ - to help the public, policy makers and journalists better understand the rest of the story about alfalfa and forage production in the Colorado River Basin and other parts of the American West.

This new resource features facts, reports, opinion pieces and other information generated by the Alliance, academia, and our allies in the West, including the California Farm Water Coalition.

"We encourage our members to check it out and let us know if you have good alfalfa stories that you'd like us to share," said Mr. Keppen.



Ag Committee Farm Bill Markup (Cont'd from Pg. 2)

That would give him more time to negotiate details, he said.

Looking back at previous farm bill progress in the House, floor votes have been taken up between 2-4 weeks after committee passage.

"Just in case that pattern is replicated this year, the WACC will begin putting together a letter to Congressional leaders that outlines what we like and don't like in the House bill," said Mr. Keppen.

Next Steps on Capitol Hill

The Senate's farm bill framework, still being finalized, will require bipartisan support to move in the Senate and ensure the bill's passage before the deadline this fall.

"I'm glad that Chairman Thompson is working to move

the process forward so that we can complete our work on the 2024 Farm Bill this year," said Senator Debbie Stabenow (D-MI), Chairwoman of the Senate Ag Committee, in a press release. "Despite areas of common ground, it is now clear that key parts of the House bill split the Farm Bill coalition in a way that makes it impossible to achieve the votes to become law. And it is also clear that we do not have time to waste on proposals that cannot meet that goal."

Senate Ag Committee Ranking Member John Boozman (R-AR) commended the members of the House Ag Committee that voted in support of advancing legislation.

"This is the first real progress toward a new farm bill becoming law," said Senator Boozman in a press statement. "My colleagues and I on the Republican side of the committee are committed to moving the process forward."

Alliance Representative Testifies on Hydropower Bill

Central Oregon's Craig Horrell Delivers in D.C.

A Family Farm Alliance representative from Central Oregon last month testified on a recently introduced Western hydropower bill at a House of Representatives committee legislative hearing in Washington, D.C.

Craig Horrell, managing director of Central Oregon Irrigation District, represented the Alliance and the Deschutes Basin Board of Control (DBBC) at the May 22 House Water, Wildlife and Fisheries (WWF) Subcommittee hearing, chaired by Rep. Cliff Bentz (R-OREGON).

Mr. Horrell was invited to testify on H.R. 8263, sponsored by Rep. Lauren Boebert (R-COLORADO).

"This bill expands the concept of legislation the Family Farm Alliance helped advance in the 113th Congress," said Mr. Horrell. "The current bill is intended to encourage non-Federal hydropower development with respect to Bureau of Reclamation projects."

The Alliance over ten years ago helped drive the passage of legislation similar to a bill that was on the hearing docket. That earlier bill – the *Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act* – was signed into law by then-President Obama in 2013.

H.R. 8263 would also streamline burdensome and unnecessary federal regulations and rules encountered by many irrigation water districts and electric utilities that seek to develop hydropower on Reclamation infrastructure.

"The Alliance and DBBC agree that clarifying jurisdiction about which federal agency approves certain hydro projects and reducing red tape for non-federal development of hydropower will produce a win-win solution that benefits water users and western communities," said Mr. Horrell.

Mr. Horrell currently serves as President of the DBBC and is a member of the Family Farm Alliance Advisory Committee, along with over fifty other district managers, association executives, attorneys and engineers from across the West.

DBBC members are aggressively pursuing modernization of their irrigation facilities. In addition to conserving water, these projects will add renewable hydropower and reduce on-farm energy use by delivering pressurized water.

"Irrigation districts in the Deschutes Basin are a great example of how renewable energy can be integrated with water operations," said Mr. Horrell. "Overall, our districts have identified over 12 MW of hydro potential associated with modernization projects. That's on top of the significant exist-

ing hydro generation detailed in our written testimony."

The Family Farm Alliance is still receiving feedback on the introduced version of this legislation and intends to work further with the Subcommittee to address technical components of the bill.

"Those technical matters deal primarily with ensuring that water operations and existing Reclamation projects where hydropower is an authorized purpose are protected," said Alliance Executive Director Dan Keppen, of Klamath Falls. "We also have ongoing concerns about how compliance with environmental and historic preservation laws, and other federal requirements have resulted in a lengthy, complicated and expensive approval process."

Mr. Horrell's appearance before the Subcommittee was the 99th time since 2005 that Family Farm Alliance representatives have testified before Congress.

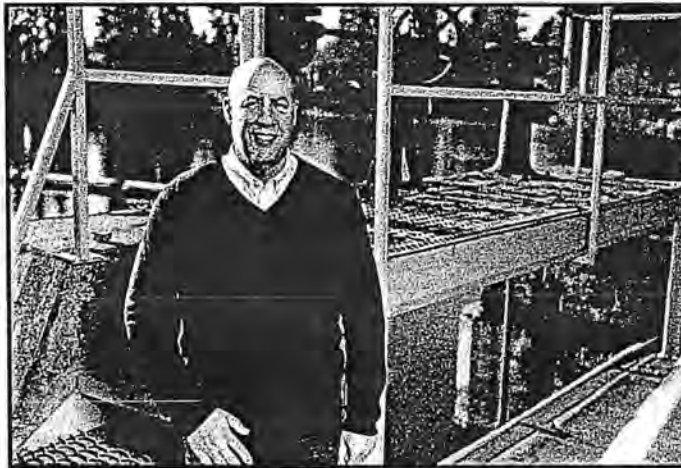
The WWF Subcommittee at its legislative hearing reviewed three other bills aimed at improving the operations of Western water and hydropower infrastructure.

H.R. 7776, the *Help Hoover Dam Act* from Rep. Susie Lee (D-NEVADA) would allocate \$45 million from an unused account to support operations at Hoover Dam. The account was originally intended for post-retirement benefits of Western Area Power Administration and Reclamation employees but has remained unused for over two decades.

H.R. 7872, the *Colorado River Salinity Control Fix Act*, introduced by Rep. John Curtis (R-UTAH) would amend a 1974 law to increase non-reimbursable federal funding for programs aimed at reducing salinity in the Colorado River, which affects infrastructure and agricultural productivity.

H.R. 7938, the *Klamath Basin Water Agreement Support Act of 2024* was introduced by Chairman Bentz earlier this spring. Among other provisions, this bill seeks to protect farmers on the Klamath Irrigation Project from costs associated with the removal of four dams on the Lower Klamath River, part of an effort to restore salmon populations.

"The four bills considered by the Subcommittee on Water, Wildlife, and Fisheries today are an important part of our commitment to improve water infrastructure and to enhance access to water resources across the 17 Reclamation states," Chairman Bentz said after the hearing. "These four bills will modify cost shares and clarify the authority and obligations of Interior and Reclamation for critical water projects in the West."



Craig Horrell. Photo courtesy of Central Oregon ID

Biden Administration Ramps Up Environmental Rulemaking

The Biden administration in recent months has taken aggressive action to advance environmental rules to avoid facing possible nullification if Republicans win control of Congress and the White House next year.

The *Federal Register* has published numerous proposed agency regulations this spring – particularly from the Environmental Protection Agency (EPA) – a necessary step for the measures to take effect and to start the review period on Capitol Hill under the Congressional Review Act (CRA).

Last month, Vicki Arroyo, the head of EPA's policy office, discussed the CRA at an environmental law conference held by the American Law Institute's Continuing Legal Education.

"It's something that we're very focused on," said Ms. Arroyo, referring to the deadline.

EPA has begun formal publication of a slew of newly completed rules governing power plant pollution, chemical uses, "forever chemical" cleanups and other issues.

The Congressional Review Act

The CRA allows Congress to review "major" rules issued by federal agencies before the rules take effect. It provides the House with 60 legislative days and the Senate with 60 session days to introduce a joint resolution of disapproval to overturn the rule.

To overturn a rule, both houses of Congress must pass a joint resolution of disapproval, and it must be signed by the President.

These procedures have special importance for federal agencies in an election year. If a rule is submitted to Congress within 60 days before adjournment, the CRA's "lookback provision" allows the 60-day timeline to introduce a CRA resolution to start over in the next session of Congress.

Experts have said final rules this year need to be published in the *Register* by around mid-May to avoid being subject to CRA attacks next year – under a potential Republican-led Congress with a new Republican president that would sign such measures (*InsideEPA.com*).

Federal Regulatory Challenges for Western Irrigated Ag

The Family Farm Alliance every year engages in agency rulemaking efforts, primarily those associated with implementation of federal environmental laws like the Clean Water Act (CWA), Endangered Species Act (ESA), and National Environmental Policy Act (NEPA).

"At the top of the list of the challenges confronting Western family farmers and ranchers is the daunting number of federal regulatory policy initiatives they face," said Alliance Executive Director Dan Keppen. "Top-down federal water resource policies and regulatory practices developed in faraway places can potentially undermine the economic foundations of rural communities in the arid West by making farming and ranching increasingly more difficult."

The Biden Administration recently finalized NEPA and ESA regulations that are concerning to the Alliance and other producers in the American West.

White House CEQ Finalizes Permitting Action Plan

The White House Council on Environmental Quality (CEQ) is finalizing the Bipartisan Permitting Reform Implementation Rule, intended to simplify and modernize the federal environmental review process while implementing the new efficiencies.

Congress passed last year in the *Fiscal Responsibility Act* (FRA). CEQ on May 1 issued the NEPA regulations.

CEQ describes these changes as enhancing the efficiency and effectiveness of environmental reviews while striving for regulatory certainty.

"Together, these reforms will help accelerate America's clean energy future, rebuild our nation's infrastructure, strengthen our nation's energy security, and deliver on the President's Investing in America agenda," the White House said in a public statement.

The Final Rule implements the significant changes that require agencies to identify an environmentally preferable alternative and undertake additional consideration of climate change and environmental justice in environmental analyses.

CEQ officials have retained elements of the 2020 Trump-era overhaul, though it appears that most of the retained provisions were required by the FRA. These include page- and time-limits for Environmental Assessments (EAs) and Environmental Impact Statements (EISs), language to strengthen the role of lead agencies, and language allowing agencies to adopt other agencies' categorical exclusions (CEs).

"Given the history of NEPA litigation, and the significant changes in the Final Rule, it is likely that these changes will open new pathways for litigation and require courts to interpret the changes before providing regulatory certainty," attorneys for Stoel-Rives, a Portland (OREGON) law firm predicted in a recent blog post.

Congress Reacts to New NEPA Rule

Currently, President Biden's efforts to streamline the federal environmental permitting process through changes to NEPA have been met with bipartisan opposition in Congress.

Last year's FRA contained a number of provisions from Trump-era NEPA regulations that legislatively compelled CEQ to include in their regulations.

Prominent House Republicans believe CEQ ignored the statute and reinterpreted other provisions away from congressional intent.

"In pursuing Biden's radical environmental agenda, CEQ has managed to ignore statutory changes, making an already convoluted process even more wrapped up in red tape," said House Committee on Natural Resources Chairman Bruce Westerman (R-Ark.). "This rule could have been a huge win for America had CEQ followed congressional intent. Instead, this rule furthers the administration's America-last agenda."

One of the most powerful Democrats in the Senate is also unhappy with the new NEPA rule.

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Congress Reacts to New NEPA Rule (Cont'd from Pg 5)

"This undermines the bipartisan deal the Administration made with the *Fiscal Responsibility Act* and will increase costs and red tape for critical projects that, despite being needed for national security and prosperity, aren't favored by the radical left," said Senator Joe Manchin (D-WV).

Senator Manchin, Rep. Garret Graves (R-LA), and Sen. Dan Sullivan (R-AK), recently announced plans to use a CRA resolution to overturn the NEPA revisions, arguing that the changes would slow down the permitting process rather than expedite it.

The CRA resolution, requiring a simple majority in both chambers and presidential approval, is unlikely to be enacted due to the expected veto from President Biden.

Western Ag Groups Raise Concerns with NEPA Rule

Western agriculture groups argue that instead of reducing regulatory burdens as intended, the rule makes the NEPA process more burdensome for producers.

"The Biden Administration largely ignored the requirements Congress passed in the *Fiscal Responsibility Act* that would streamline NEPA processes," said Kaitlynn Glover, National Cattlemen's Beef Association Director of Natural Resources said. "Instead, this final rule changes the focus of NEPA, making it more ambiguous, less targeted, and nearly impossible to navigate."

The Alliance last September submitted significant, detailed comments to CEQ outlining its concerns with its revised draft NEPA rule.

"While we respect that the Biden Administration might move in a different direction from the Trump Administration on issues like environmental regulations, climate change, and environmental justice, we cannot support a wholesale revision of the NEPA regulations that will thwart efforts to improve the law's efficiency and effectiveness," the Alliance letter stated.

"Many more hours may be needed to continue this important work and work to educate key policymakers on the importance of the current rules and regulations to Western water managers," the Alliance letter predicts.

Republicans File ESA CRA Resolutions

Senate and House Republicans have introduced resolutions to reverse recent Fish and Wildlife Service (FWS) and NOAA Fisheries rulemaking that restored ESA protections eliminated during the Trump Administration.

The three resolutions, sponsored by Senate Western Caucus Chair Cynthia Lummis (R-WYOMING), Vice Chair Dan Sullivan (R-AK), and Sen. Pete Ricketts (R-NEBRASKA), seek to reinstate Trump-era revisions that they argue improved public participation and the ESA's efficiency.

In 2019, The Trump Administration finalized key changes to the ESA that added more flexibility for affected stakeholders while also ensuring species' recovery plans take a tailored and targeted approach. In March 2024, the Biden Administration overturned these revisions, including the "blanket rule" that automatically gave threatened species the strictest ESA protections.

Sen. Lummis criticized the Biden Administration for undoing these effective measures and emphasized the need for collaboration with Western stakeholders.

"Instead of working with stakeholders out west to improve the ESA, the Biden administration chose to undo what worked and double down on what did

not," said Senator Lummis. "Instead of placating to radical activists, the Biden administration needs to work with landowners, businesses and workers in Wyoming and throughout the west who will be hurt the most by this big government mandate."

The resolutions have 12 Republican co-sponsors. Despite the likelihood of a presidential veto, these resolutions reflect ongoing Republican efforts to reform the ESA, celebrating its 50th anniversary last year.

Reps. Dan Newhouse (WASHINGTON), Harriet Hageman (WYOMING) and John Duarte (CALIFORNIA) introduced CRA resolutions to remove three ESA Rules in the House of Representatives.

"These rules take species conservation in the wrong direction and punish our landowners," said Rep. Hageman. As such I've introduced these CRA resolutions to prevent these ill-designed rules from taking effect."



U.S. Representative Harriet Hageman (R-WYOMING).

Photo source: Office of Rep. Hageman.

Biden Administration Spreads Funds Across the West Recent Spending Announcements Surpass \$1 Billion

Senior leaders in the Biden Administration in the past month continued their tour of key blue and swing states in the Western U.S., promoting their initiatives – and funding – in this important election year, touting efforts to revitalize aging water infrastructure, strengthen drought resilience, and reduce wildfire risk.

One seven-day stretch last month was dubbed “Infrastructure Week” by the Biden Administration, with high-level White House officials touring the U.S. to promote the massive investments the Administration has made in infrastructure.

“While ‘Infrastructure Week’ became an empty punchline during the prior Administration, President Biden is delivering an ‘Infrastructure Decade’ that will benefit communities for generations to come,” a White House fact sheet claims.

Their message aims to showcase the significant funding provided by the Infrastructure Investment and Jobs Act (IIJA) and Inflation Reduction Act (IRA) directed towards roads, clean energy, water, and broadband.

However, according to recent polls, the public remains largely unaware of the impact of the overall investments provided by these two statutes and two other stimulus laws passed during the pandemic, totaling \$1.6 trillion. And with only a fraction of the congressionally allocated funds spent – mostly due to federal bureaucratic processes involved in disbursing such substantial amounts of funding, – actual on-the-ground results have been a bit underwhelming considering the Administration’s massive checkbook.

Recent POLITICO Analysis Shows Less Than 17% of Funds Have Been Spent

According to a *POLITICO* analysis of public data, only a small portion of that money has been spent. *POLITICO*’s assessment found:

- Less than 17 percent of the \$1.1 trillion those laws provided for direct investments on climate, energy and infrastructure has been spent as of April, nearly two years after President Biden signed the last of the statutes.
- Out of \$145 billion in direct spending on energy and climate programs in the IRA, the administration has announced roughly \$60 billion in tentative funding decisions as of April 11.
- And only \$125 billion has been spent from the \$884 billion provided by the IIJA and the pandemic law, both of which the president signed in 2021. Roughly \$300 billion of that won’t be legally available to spend until the next two fiscal years.

The bottom line: even an agency’s announcement that it has tentatively awarded millions of dollars to a project doesn’t mean the recipient will necessarily get it quickly — or at all.

For much of this money, *POLITICO* found that the government does not provide a centralized, easily accessible way for the public to see how much has been formally awarded or spent.

For the West, the Department of the Interior (Interior) last year launched an interactive map and database, intended to track Interior-wide funding invested to date from the IIJA.

“It includes Bureau of Reclamation projects, and the map of the various Western drought projects receiving IIJA funds is impressive,” said Alliance Executive Director Dan Keppen of the map and database.

However, other than project identification and location, the only other additional information provided are the names and amounts of IIJA funds obligated to the listed projects.

Despite the slow pace of fund deployment, Administration officials continue to communicate about the long-term benefits of these investments.

“The agencies absolutely know whether the money’s been obligated,” White House senior clean energy adviser John Podesta told *POLITICO*. “What we’re focused on at the White House is that the programs are being created, that fair competitions are being set up, they’re being done with high levels of integrity, that the money is being awarded appropriately.”

IIJA and IRA Funding for Western Water

Both the IIJA and IRA laws collectively provided a “once in a generation” level of federal funding to support water infrastructure and drought needs in the West.

The Family Farm Alliance was part of a five-organization steering committee that led over 220 water and agriculture organizations who played a critical role in securing the IIJA and IRA funding for Western water infrastructure and drought mitigation efforts.

Through the IIJA, the Bureau of Reclamation (Reclamation) is investing a total of \$8.3 billion over five years for water infrastructure projects, including rural water, water storage, conservation and conveyance, nature-based solutions, dam safety, water purification and reuse, and desalination. Since the IIJA was signed into law in November 2021, Reclamation has announced almost \$3 billion for 440 projects.

“Thirty months have passed since the IIJA was signed into law,” said Alliance Executive Director Dan Keppen. “A lot of funding Reclamation has provided has been obligated but not yet spent. Increasingly, our members are concerned about how quickly those dollars are actually materializing into projects on-the-ground.”

The first project funded by the IIJA in Reclamation’s California-Great Basin Region was repair of the Truckee Canal, which provides water to the Truckee Division near Reno (NEVADA). That project was completed last month, and the canal is now fully operational. The \$35 million loan in funding was provided by the aging water infrastructure account and will be completely repaid by Truckee-Carson Irrigation District.

The IRA includes \$4 billion in funding specifically for water management and conservation efforts in the Colorado River Basin and other areas experiencing similar levels of

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IIJA and IRA Funding for Water (Cont'd from Page 8)

long-term drought. To date, Reclamation has announced 202 system conservation agreements under the IRA for an estimated 1.7 million acre-feet of Colorado River system conservation through 2026, totaling \$716 million.

Additional promising funding announcements and obligations in other parts of the West continue.

\$520M for Water Infrastructure and Drought Resilience

Acting Deputy Secretary of the Interior Laura Daniel-Davis last month in Albuquerque (NEW MEXICO) announced more than \$520 million to support 57 projects across all six regions served by Reclamation to improve water conveyance and storage, increase safety, improve hydropower generation, and provide water treatment.

Ms. Daniel-Davis made the announcement while visiting the Middle Rio Grande in New Mexico. Five projects in New Mexico are receiving a total of \$14.7 million in funding for aging infrastructure. More than \$10 million of the funding is for a realignment project of the Rio Grande channel to improve water conveyance, critical habitat and sedimentation control in an area south of Albuquerque near the Bosque del Apache Wildlife Refuge. To date, Interior has announced \$318.8 million from the IIJA and \$69.5 million from the IRA for projects in New Mexico.

"President Biden's Investing in America agenda is making historic investments to provide clean, reliable water to families, farmers and Tribes and to make western communities more resilient to drought and climate change," said Acting Deputy Secretary Laura Daniel-Davis. "These investments in our aging water infrastructure will conserve community water supplies and revitalize water delivery systems building reliability and sustainability for generations to come."

Ms. Daniel-Davis's visit followed Interior Secretary Deb Haaland's announcement one week earlier of a \$60 million investment from the IRA for water conservation and drought resilience in the Rio Grande Basin. These resources are intended to ensure greater climate resiliency and water security for communities below Elephant Butte Reservoir and into Texas. The annual water savings from the proposed projects are anticipated to be in the tens of thousands of acre-feet.

"We are the first ones outside of the Colorado River to get IRA money," said Samantha Salopek, an attorney who works with New Mexico water users and who serves on the Family Farm Alliance Advisory Committee. "Lots of hard work 'paid' off, literally!"

\$147M for Drought Resiliency, Water Supply Reliability

Interior last month in Durango (COLORADO) announced a \$147.6 million investment to help communities prepare and respond to water reliability challenges due to drought and other water scarcity concerns. The funding will support 42 projects in ten states.

Reclamation Commissioner Camille Calimlim Touton, joined by Senator Michael Bennet (D-COLORADO), made the announcement during a visit with the Southern Ute Tribe in southwestern Colorado. The Tribe was awarded a \$2.3 million grant to upgrade their water system to provide reliable water levels during various water flow periods. This will allow the Southern Ute Tribe to divert its full allocation of water during times of lower flows.

"With new resources provided through President Biden's Investing in America agenda, we are investing in locally led projects to help build drought resilience," said Commissioner

Touton. "These projects focus on improving water management strategies, infrastructure and efficiency to mitigate the impacts of drought on communities, agriculture and ecosystems."

The funding announced today comes from the IIJA, IRA and annual appropriations. Awards will support projects that build new infrastructure or upgrade existing infrastructure, recharge aquifers, advance water recycling and treatment, and strengthen innovative technologies to address water scarcity challenges for water users.

For a portion of the projects, Reclamation is using funding from the IRA to help reduce the

cost-share for domestic water supplies projects that support disadvantaged communities.

\$250M to Reduce Wildfire Risk to Communities

Deputy USDA Secretary Xochitl Torres Small last month in Tacoma (WASHINGTON) announced \$250 million to help at-risk communities protect their homes, businesses and infrastructure from catastrophic wildfire, made worse by the climate crisis.

Made possible by the IIJA, the announcement through the Community Wildfire Defense Grant program will fund 158 projects to help communities in 31 States, two Territories and 11 Tribes develop community wildfire protection plans and remove overgrown vegetation that can fuel fires that threaten lives, livelihoods, and resources.

Reclamation to Hold June 6 Listening Sessions On Infrastructure Spending

Reclamation has announced a virtual information update session on funding opportunities and implementation of the Bipartisan Infrastructure Law (BIL) and the Inflation Reduction Act (IRA). The listening sessions are expected to run one hour.

Tribes: Thursday, June 6, 11 a.m. (Eastern). Join by phone: 1-202-640-1187 passcode, 710 227 736#, or via [Teams Link](#).

Stakeholders: Thursday, June 6, 2 p.m. (Eastern). Join by phone: 1-202-640-1187 passcode, 769 011 765#, or via [Teams Link](#).

Senate EPW Committee Releases 2024 WRDA

Senate Environment and Public Works (EPW) Committee members have introduced their biennial Water Resources Development Act (WRDA) of 2024, which authorizes the Army Corps to study and construct numerous water infrastructure and environmental restoration projects nationwide.

The Senate WRDA bill, spearheaded by Senate EPW Chairman Tom Carper (D-DE), focuses on flood and drought protection and enhancing economic activities at ports. It prioritizes initiatives for disadvantaged communities and mandates the completion of certain previously authorized projects.

“With strong, bipartisan support of WRDA 2024, the EPW Committee has come together to address the diverse water infrastructure needs of the American people,” said Chairman Carper. “I look forward to the work ahead to get this important legislation to the President’s desk.”

Key provisions include provisions to help communities respond to drought in the arid West and establishing pilot program through which Native American tribes could “directly carry out” eligible water projects.

The bill authorizes 81 feasibility studies and eight new or modified construction projects, including projects for flood risk management, ecosystem restoration, and water supply in Arizona, California, Colorado, Kansas, Nevada, Texas, and Washington. It also directs the Corps to expedite the completion of several ongoing studies and projects from past WRDAs including projects in Arizona and California.

“I’m particularly glad to have included provisions that will expedite critical infrastructure and flood control projects in Arizona,” said Senator Kelly (D-ARIZONA), Chair of the Senate EPW Subcommittee on Transportation and Infrastructure. “Now, let’s get this passed and signed into law to better secure Arizona’s water future.”

Additionally, the bill emphasizes improving the permitting and environmental review processes and tackling invasive species. It would also establish an emergency drought operations pilot program, allowing the Corps to modify dam operations in drought-stricken regions.

“The House of Representatives’ WRDA text is expected to be released in the next few weeks,” said Mark Limbaugh with The Ferguson Group, the Family Farm Alliance’s representative in Washington, D.C.



Senator Mark Kelly (D-ARIZONA).
Photo courtesy of the office of Senator Kelly.

Funding to Reduce Wildfire Risk (Cont'd from Pg. 8)

“Last year, over two million Americans across the country were displaced by extreme weather and climate-fueled disasters, including wildfires,” said Assistant to the President and National Climate Advisor Ali Zaidi. “Under President Biden, we are making the largest-ever investment to tackle the climate crisis, while reducing the risks of catastrophic fires and making communities safer, stronger, and more resilient.”

Now in its second year, the Community Wildfire Defense Grant program helps communities in the wildland-urban interface maintain resilient landscapes, create fire-adapted communities, and ensure safe, effective wildfire response.

Drought and wildfire in the U.S. West grassland-forest ecology are challenges that ranchers have had to cope with and manage over centuries. Wildfire smoke covered as much as 70 percent of California in recent years — wreaking havoc not only on land, but also in the state’s vast freshwater ecosystems, according to a study published last month in *Communications: Earth & Environment*.

Many of the announced projects are located in the West. Wasco County (OREGON) is receiving nearly \$6 million to create fuel breaks and defensible space to protect Maupin,

Pine Grove, Tygh Valley and other communities. The Nature Conservancy will use nearly \$9.9 million to protect communities in Archuleta County (COLORADO) and watersheds that provide irrigation and drinking water to downstream users in Santa Fe and Albuquerque, New Mexico, which get 50% and 90% of their clean water is from these watersheds, respectively.

In total, the program is investing \$1 billion over five years to assist at-risk communities through grants to local and Tribal communities, non-profit organizations, state forestry agencies, and Alaska Native Corporations, with planning for and mitigating wildfire risks on lands not managed by federal agencies.

“We recognize the difference this program is already having on reducing wildfire risk. This second round of investments will help communities develop community wildfire protection plans, which serve as roadmaps for addressing local wildfire risks,” said Forest Service Chief Randy Moore. “They also will fund projects to lower wildfire risk on non-federal land in communities that already have a community wildfire protection plan in place.”

Navajo Nation Approves Large Colorado River Water Rights Settlement

Three Native American Tribes last month signed off on a proposed water rights settlement which is the most expensive of its kind. The Navajo, Hopi, and San Juan Southern Paiute tribal councils in May approved the proposed settlement, which aims to address longstanding exclusion from the 1922 Colorado River Compact, which divided water among seven Western states but omitted tribal nations.

"Thank you for helping make history today," Navajo Council Speaker Crystalne Curley told her fellow delegates last month as they stood and clapped after casting a unanimous vote.

Both the Hopi tribe and the San Juan Southern Paiute councils also approved the settlement in May. Congress will have the final say.

The settlement seeks over \$5 billion, surpassing all previously approved tribal agreements, with about \$1.75 billion funding a pipeline from Lake Powell to deliver water to remote tribal communities.

The tribes will receive water from the Colorado River, Little Colorado River, and local aquifers. The Navajo and Hopi tribes are allocated around 47,000 acre-feet from the Upper Basin and an additional 9,500 acre-feet per year from the Lower Basin. The Navajo would also draw 40,780 acre-feet from the Little Colorado River.

Nearly one-third of Navajo Nation homes lack running water, and many Hopi homes face similar issues. The tribes are pushing for a swift approval of the proposed settlement under the Biden Administration.

The Navajo Nation voted on the measure in a special session, with additional approvals needed, culminating in one from Congress.

The U.S. Supreme Court has ruled that the federal government is not obliged to secure water for the Navajo Nation. The proposed settlement seeks to rectify historical exclusions and provide economic opportunities for tribal members.

CRIT Agreement Signed

Further down the river, Arizona's state and tribal leaders in late April joined top federal officials in signing documents implementing another agreement allowing the tribes to market portions of their Colorado River allocation to water users off-reservation.

The signing event represents a critical step to implement the *Colorado River Indian Tribes (CRIT) Water Resiliency Act of 2022*.

Present at the event to execute the agreements at the Bluewater Resort on the CRIT reservation near Parker were Arizona Governor Katie Hobbs, U.S. Senator Mark Kelly of Arizona, as well as Secretary of the Interior Deb Haaland, Bureau of Reclamation Commissioner Camille Calimlim Touton and Tom Buschatzke, Director of the Arizona Department of Water Resources.

Both Governor Hobbs and Director Buschatzke participated in the signing ceremony.

"The celebration today is the beginning of a new chapter for tribal sovereignty and self-determination, where tribal leaders have the freedom to manage their resources, and by extension, their futures," said Governor Hobbs.

Recent Alliance Engagement With Colorado River Basin Tribes

Anne Castle, who served as Assistant Secretary for Water and Science in President Obama's Interior Department, moderated a high-profile panel of tribal representatives from the Colorado River Basin at the 2024 Family Farm Alliance annual conference in Reno last February.

One of those panelists was Joshua Moore, the Farm Manager for CRIT.

"We have enough water in our community to farm 100,000 acres, mostly in Arizona, but also in California," he told the Alliance audience. Mr. Moore later referenced Will Rogers, who once said "farmers are optimists, or they wouldn't be farmers".

He said the tribes have been in the Southwest for a very long time. He expects this to continue. The Spanish came and they are no longer there. The Mexicans came and they are no longer there.

"The tribes are still there," he said.

Precipitation May Brighten Colorado River's Future

Currently, the Department of the Interior and the Bureau of Reclamation believe the Colorado River is oversubscribed and negatively impacted by climate change.

However, widespread claims of impending aridification in the American Southwest may have been checked by a new study from researchers at the University of Colorado, Boulder, which reveals that precipitation, not temperature, will keep the Colorado River fuller than previous research had indicated.

"It's a sort of nuanced message," said Balaji Rajagopalan, co-author of the study. "Yes, the temperature is warming, but that's not the full story—you add precipitation and you get a fuller picture."

Alliance Colorado River Initiative

Efforts continue across the Colorado River Basin to find ways to stabilize water storage volumes in Lakes Powell and Mead.

"Despite the diversity of Colorado River policy opinions within our membership, the Alliance board of directors in 2015 and again in 2022 adopted principles and recommendations intended to guide state and federal decision-makers as they negotiate a long-term operating agreement on the Colorado River," said Alliance First VP Don Schwindt (COLORADO).

The 2022 policy paper – which has also been adopted by several water agencies served by the Colorado River– has as its top principle the need to "recognize that Western irrigated agriculture is a strategic and irreplaceable national resource".

Election Year Attention on the San Joaquin Valley

The 2024 election is well underway across the nation, state and California's San Joaquin Valley, where one of the nation's most closely watched Congressional races is unfolding.

Republican Rep. David Valadao and Democrat Rudy Salas are vying for California's 22nd House District seat, which the *Cook Political Report* lists as one of its "Republican toss-up" races. The Democratic party has zeroed in on the race as one of the 17 priority districts it hopes to flip.

Central Valley Project (CVP) water is the lifeblood of the local agricultural economy, which includes several of the top farm-production counties in the nation. In the past month, water-related actions driven by national leaders from both political parties drew attention to the region.

Biden Administration Announces \$81 Million for Drought Resilience

The Department of the Interior last month announced \$81 million for water conservation and drought resilience south of the Sacramento-San Joaquin Delta in the San Joaquin Valley.

Acting Deputy Secretary Laura Daniel-Davis, Acting Principal Deputy Assistant Secretary for Water and Science Sarah Krakoff, and Bureau of Reclamation Commissioner Camille Calimlim Touton joined federal and state leaders and CVP water agencies at the Stewart Lee Udall building to announce the funding and sign a Memorandum of Understanding (MOU) outlining a new long-term drought plan for the region.

"Access to clean and reliable water is essential for feeding families, growing crops, sustaining wildlife and the environment and powering agricultural businesses. It also creates incredible potential for economic opportunity and job creation," said Acting Principal Deputy Assistant Secretary for Water and Science Sarah Krakoff. "This new drought plan will help provide critical water supplies to refuges and cities, save permanent crops from being fallowed in drought years, and keep water in the San Joaquin River in the worst of drought years."

The MOU between Reclamation and the CVP South-of-Delta contractors – including the San Luis & Delta-Mendota Water Authority, San Joaquin River Exchange Contractors Water Authority (SJRECWA) and Friant Water Authority

(FWA) – identifies a framework, long-term drought plan, and a 2024 Pilot Program, including a "drought pool," to build drought resiliency in the region.

This partnership establishes a program and advances projects that increase regional climate resilience in the San Joaquin Valley, and its implementation is being advanced through funding provided by the Bureau of Reclamation (Reclamation) from the Infrastructure Investment and Jobs Act ("IIJA") and the Inflation Reduction Act ("IRA"), which nearly doubled the annual funding provided to Reclamation over eight years.

Key components of the Framework include:

- The development and implementation of a Drought Plan that allows participating entities to voluntarily conserve and securely store or exchange a portion of their CVP south of Delta deliveries for use in future years with lower supplies, in addition to supporting the advancement of the San Joaquin River Restoration Program.
- Allocation of Costs for Large Extraordinary Maintenance (XM) Projects, including the Delta-Mendota Canal Subsidence Correction Project.
- Commitment by Reclamation and SJRECWA to develop processes to ensure that the San Joaquin River Restoration Program can provide specific flows past Sack Dam via the San Joaquin River to Mendota Pool.
- Resolution on the Del Puerto Canyon Reservoir Project by FWA and the SJRECWA to ensure it supports the objectives outlined in the Drought Plan.



From left to right: Chris White, San Joaquin River Exchange Contractors Water Authority Executive Director; Jason Phillips, Friant Water Authority Chief Executive Officer; Federico Barajas, San Luis & Delta-Mendota Water Authority Board Executive Director; Reclamation Commissioner Camille Calimlim Touton. Photo courtesy of USBR.

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Focus on San Joaquin Valley (Cont'd from Page 11)

40 Percent Allocation After a Wet Year

CVP water deliveries south of the Sacramento-San Joaquin Delta are dependent on Reclamation's ability to pump water from the Delta, San Luis Reservoir water storage, and conveyance through Central Valley Project canals. In recent decades, operational flexibility has worsened, and regulatory uncertainty has increased for many CVP users, especially those with agricultural service contracts. These impacts are further exacerbated during drought years.

The last update from Reclamation increased the allocation for South of Delta agricultural contractors, including Westlands Water District, to 40 percent of the total water contract, despite a wet year that substantially boosted statewide reservoir and groundwater levels (*see related story, Page 13*).

"This year's low allocation after a wet year and a relatively good winter that filled the state's reservoirs, and the state officially out of drought conditions, demonstrates the critical and urgent need to improve water management transparency and accountability," said Allison Febbo, Westlands GM.

Rep. Valadao Hosts Ag and Water Field Tour

Members of the GOP Congressional Western Caucus and their staff attended an agriculture and water field tour in Bakersfield last month.

The field tour was hosted by Rep. David Valadao (R-CALIFORNIA), with participation from fellow California Republican Reps. Jay Obernolte and John Duarte, as well as Reps. Burgess Owens (UTAH) and Russ Fulcher (IDAHO).

Members and staff toured Tasteful Selections to learn more about their production agriculture operations in the Central Valley.

Immediately following the tour, Western Caucus Members saw firsthand the production facility of the world's largest grower, producer, and shipper of carrots, Grimmway Farms.

To wrap up the field tour, the group was briefed by staff from the Friant Water Authority about water access, storage, and management in the Central Valley.

Northwest Republicans Introduce Bills to Protect Snake River Dams

Congressman Dan Newhouse (R-WASHINGTON) and his GOP colleagues from the Pacific Northwest have introduced a package of nine bills in the House of Representatives to protect the four Lower Snake River Dams.

This latest response from Columbia River Basin Republicans follows the release of the final package of actions and commitments in the Columbia River System Operations (CRSO) mediation, which they believe undermines dam operations.

"I have consistently reminded the Biden Administration that the authority over the Lower Snake River Dams remains in the hands of Congress," said Congressman Dan Newhouse. This package is not only a staunch reinforcement of that fact, but a testament to our commitment to protect these critical pieces of infrastructure."

The package contains nine bills aimed at reversing specific provisions in the final package of actions and commitments in the CRSO mediation. They are cosponsored by multiple members from the Pacific Northwest and supported by a variety of organizations with stakes in the Columbia River System.

For example, the *Abandoning Inconsistent and Rash Environmental Solutions (ACRES) Act* – cosponsored by Reps. Russ Fulcher (IDAHO), Cliff Bentz (OREGON), Ryan Zinke (MONTANA), and Matt Rosendale (MONTANA) would prohibit the breaching of federally operated dams if such breach would result in the replacement energy resource occupying additional acreage of more than 5 percent.

The *QUERIES Act* – cosponsored by Reps. Cathy McMorris Rodgers (WASHINGTON), Fulcher, Bentz and Zinke would direct the Comptroller General of the United States to submit to Congress an updated report on the roles, responsibilities, and practices of the Council on Environmental Quality, which helped drive the CRSO mediation.

Consequences of removing the lower Snake River Dams

Northwest irrigators, power users and shipping interests believe the Biden Administration initiative exploring the potential to remove the four lower Snake River Dams would have significant consequences on their sectors.

Dam removal would severely affect irrigation, impacting more than 400,000 acres of highly productive farmland. Removing many of the hydroelectric dams that power the region would also drive up utility costs.

The Pacific Northwest Waterways Association (PNWA) says that dam removal would halt barging operations on the Columbia, diverting the transportation of goods to trains and trucks.

"This shift would impact about 10% of all U.S. wheat exports that rely on the lower Snake River dams to reach Portland/Vancouver barges," PNWA states on its website. "Shifting from river to overland transportation along the Columbia River would greatly increase the carbon footprint of wheat production, resulting in emissions surging by more than 1.25 million tons per year."

Although the new initiative seeks salmon recovery, the complexity of other environmental factors that affect salmon survival rate prevents any guarantee that dam removal would lead to recovery of salmon populations.

Complications such as warming oceans and delayed mortality make it impossible for current science to predict the effects of dam removal on salmon survival.

"Currently, there are varied projections" for delayed mortality, said Michael Milstein, public affairs officer for NOAA Fisheries. "If there is high delayed mortality, then there may be a greater effect from breaching."

Is La Niña on the Way?

Wet El Niño Year Has Benefited California Hydrology

Australian scientists in the past month declared that the Pacific Ocean is no longer in an El Niño state and has returned to "neutral."

American scientists at the National Oceanic and Atmospheric Administration have been more hesitant, but they estimate that there is an 85% chance that the Pacific will enter a neutral state in the next two months and a 60% chance that a La Niña event will begin by August.

During La Niña, the jet stream tends to be farther north, causing drier conditions across the U.S. Southwest and wetter conditions in the Pacific Northwest.

"What it ends up doing is shifting where the jet stream sets up across the mid-latitudes where we live," Tom DiLiberato, climate scientist at NOAA, recently told NPR. "The jet stream acts like this storm highway and if you change where the jet stream goes, you change where the storms go."

California Drought Conditions At Lowest Level in 13 years

After another wet winter, record rainfall has replenished California's reservoirs, which had been critically low during the worst days of the drought.

For the first time in more than four years, all of Northern California is free of drought or abnormally dry conditions, according to recent U.S. Drought Monitor data. California now has its lowest amount of drought conditions since 2011.

Lake Oroville – the crown jewel of California's State Water Project - is completely full. It's the second year in a row after another wet winter. Lake Oroville is the second largest reservoir in the state, and it holds 3.5 million acre-feet of water.

Golden State Aquifer Recovery on the Upswing

California's groundwater supplies greatly benefited from last year's historically wet rainy season, according to a new report from the Department of Water Resources (DWR).

DWR recently released the latest Semi-Annual Groundwater Conditions report, and the data show that California achieved 4.1 million acre-feet of managed groundwater recharge during Water Year 2023, which is nearly the water storage capacity of Shasta Lake.

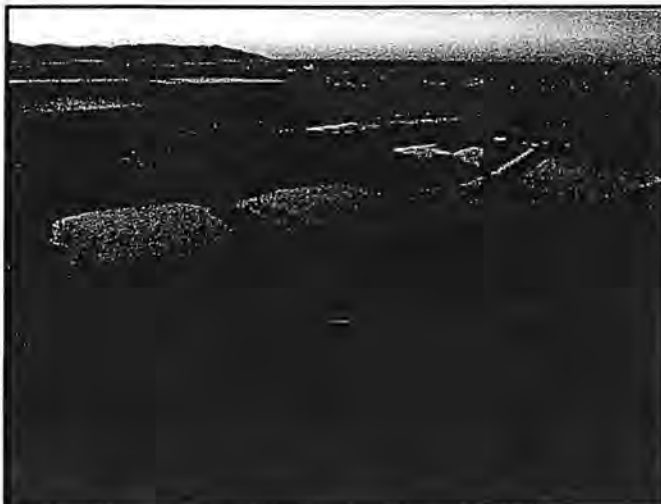
The report also details an increase in groundwater storage of 8.7 million acre-feet.

"California is invested in preparing for weather extremes by maximizing the wet years to store as much water as possible in preparation for the dry years," said Paul Gosselin, deputy director of sustainable water management for DWR, in a statement.

The DWR report found that the highest reported managed recharge per area occurred in the Oxnard, Tule, and Kern County subbasins, with recharge of 1.92, 1.46, and 1.02 acre-feet per acre, respectively.

"We have some great news for our farmers and ranchers – being Number One in the entire state of California for groundwater recharge per acre," said Mauricio Guardado, general manager of United Water Conservation District, which conjunctively manages groundwater in the Oxnard subbasin. "We're experiencing artesian conditions in several wells downstream of operations which haven't been observed for 25 years. Our Lake Piru is currently completely full."

Mr. Guardado serves on the Advisory Committee for the Family Farm Alliance.



The Oxnard groundwater basin spans 57,888 acres, and during the 2023 Water Year (WY 2023) UWCD managed to resupply 111,254 acre-feet of water – or more than 36 billion gallons, resulting in a best-in-State recharge rate per area of 1.92 acre-feet per acre. Despite being a smaller basin, it also managed to rank sixth in the state in total groundwater recharge volume. This was largely due to United's recharge operations in the Forebay area. Photo courtesy of United Water Conservation District.

CORRESPONDENCE LIST

JUNE 2024

1. May 16, 2024 – Notice and Agenda received from the Los Olivos Community Services District for the Project Management Subcommittee Meeting on May 23, 2024
2. May 16, 2024 – Water Service Requirements Letter sent for APN 143-141-007
3. May 16, 2024 – Notice and Agenda received from Cachuma Operation and Maintenance Board for the Regular Board Meeting on May 20, 2024
4. May 22, 2024 – Letter from District sent to five customers regarding past due water service accounts
5. May 23, 2024 – Can and Will Serve Letter sent for APN 143-141-007
6. May 30, 2024 – Water Service Requirements Letter sent for APN 141-460-004
7. June 3, 2024 – Notice and Agenda received from the Los Olivos Community Services District for the Finance Subcommittee Meeting on June 7, 2024
8. June 5, 2024 – Meter Downsize Request Response Letter sent for APN 137-081-025
9. June 5, 2024 – Letter from District sent to four customers regarding past due water service accounts
10. June 6, 2024 – Existing Water Service/Can and Will Serve Letter sent for APN 137-070-024
11. June 6, 2024 – Letter from District to twenty customers regarding backflow testing requirement
12. June 10, 2024 – Notice and Agenda received from the Los Olivos Community Services District for the Regular Board Meeting on June 12, 2024
13. June 13, 2024 – Letter received from Santa Barbara County Fire Department regarding fire service requirements for APN 141-440-002
14. June 13, 2024 – Newsletter received from the Los Olivos Community Services District regarding District Update for the 2nd Quarter