

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, March 19, 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 "March 19, 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. **EMPLOYEE SPOTLIGHTS**
 1. Superintendent Joe Come' & Distribution and Operations Supervisor Danny Durbiano
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. **SPECIAL PRESENTATION**
 1. Overview of the Central Coast Water Authority – Executive Director Ray Stokes
9. **CONSIDERATION OF THE MINUTES OF THE REGULAR MEETING OF FEBRUARY 20, 2024**
10. **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
 2. Personnel Recruitment Update
 - B. **OPERATIONS UPDATE**
11. **REPORT, DISCUSSION, AND POSSIBLE BOARD ACTION ON THE FOLLOWING SUBJECTS:**
 - A. **SUSTAINABLE GROUNDWATER MANAGEMENT ACT**
 1. Eastern Management Area (EMA) Update

B. HEXAVALENT CHROMIUM (Cr6) – PROPOSED MAXIMUM CONTAMINANT LEVEL (MCL)

1. Update on SWRCB Proposed Drinking Water MCL for Cr6 of 10 parts per billion

12. 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

13. CORRESPONDENCE: GENERAL MANAGER RECOMMENDS FILING OF VARIOUS ITEMS

14. 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.

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

16. 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]

17. RECONVENE INTO OPEN SESSION

[Sections 54957.1 and 54957.7 of the Government Code]

18. 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.

**BOARD OF TRUSTEES
SANTA YNEZ RIVER WATER CONSERVATION DISTRICT,
IMPROVEMENT DISTRICT NO.1
March 19, 2024**

Consent Agenda Report

CA-1. Water Supply and Production Report. Total water production in **February 2024 (71 AF)** was 19 AF lower than total production in **January 2024 (90 AF)**, 79 AF lower than the most recent 3-year running average (2021-2023) for the month of **February (150 AF)**, and 87 AF lower than the most recent 10-year running average (2014-2023) for the month of **February (158 AF)**. Overall production in **February 2024** was the third lowest for February over the last 10 years; production in February 2017 was 73 AF and February 2019 was 66 AF; the highest February production in the last ten years was 221 AF in 2014. Generally speaking, 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 **February 2024**, approximately **66 AF** was produced from the Santa Ynez Upland wells, and approximately **5 AF** was produced from the 6.0 cfs well field in the Santa Ynez River alluvium. As reflected in the Monthly Water Deliveries Report from the CCWA, the District used **0 AF** of SWP supplies for the month. Direct diversions to the County Park and USBR were **1.59 AF**.

The USBR Daily Operations Report for Lake Cachuma in **February** (ending February 29, 2024) recorded the end of month reservoir elevation at **752.54'** with the end of month storage of **191,873 AF**. USBR recorded total precipitation at the lake of **15.99 inches** for the month. SWP deliveries to the reservoir for South Coast entities were **0.0 AF**. Reported reservoir evaporation in **February** was **399.9 AF**.

Based on the updated maximum storage capacity of 192,978 AF (previously 193,305 AF), as of **March 15, 2024** Cachuma reservoir was reported at **101.2%** of capacity, with then-current storage of **195,366 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 remains 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 (85% of capacity and 127% of historic average), thus far DWR has taken a conservative approach to the Table A allocation. **By notice to the State Water Contractors dated December 1, 2023 DWR issued an initial 10 percent Table A allocation for 2024.** DWR's initial 10 percent allocation was based on the following rationale:

Water year 2023 provided much-needed relief following three of the most severely dry years on record. However, water year 2024 is off to a slow start with precipitation amounts at about half of average in October and November. To make the initial 2024 allocation, DWR forecasts what water supplies will be available if the current dry pattern continues through the remainder of the water year 2024. As a result, DWR is initially allocating 10 percent of most SWP contractors' requested Table A amounts for 2024.

To determine the available SWP water supplies, DWR considers factors including SWP contractors' anticipated 2023 carryover supplies into 2024, projected 2024 demands, existing storage in SWP conservation facilities, estimates of future runoff, SWP operational and regulatory requirements from the Federal Endangered Species Act and California Endangered Species Act, and water rights obligations under the State Water Resources Control Board's authority. DWR may revise the SWP allocation if hydrologic conditions change.

By notice to the State Water Contractors dated February 21, 2024 DWR has increased the Table A allocation to 15 percent. Recent rain and snowstorm events, including those in northern California watersheds, would seem to provide a basis for DWR to increase the 2024 Table A allocation above 15 percent.

As reflected in the Agendas for the February 22, 2024 meeting of the CCWA Board of Directors and March 14, 2024 meeting of the CCWA Operating Committee, CCWA remains engaged in a variety of matters relating to the SWP, including but not limited to: SWP supplies and related SWP operations; facility improvements to address water quality concerns; CCWA water transfer rules; and the CCWA Fiscal Year 2024-25 budget process. 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. The next regular meeting of the CCWA Board of Directors is scheduled for March 28, 2024.



— BUREAU OF —
RECLAMATION

Historical Archive and Report

Lake Cachuma Daily Operations

Run Date: :

February 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	
	747.47	176,616												
1	747.92	177,935	1,319	802.0	0.0	591.4	25.7	13.4	3.0	0.0	32.0	0.170	2.42	
2	748.97	181,038	3,103	5,686.0	0.0	131.2	18.2	13.5	2.0	2,665.0	15.3	0.080	0.53	
3	748.31	179,083	-1,955	-40.0	0.0	0.0	13.9	13.5	274.0	1,602.0	11.3	0.060	0.00	
4	746.87	174,872	-4,211	3,931.0	0.0	86.9	15.8	13.4	275.0	7,921.0	3.7	0.020	0.36	
5	751.67	189,192	14,320	20,737.0	0.0	1,263.8	13.3	13.5	225.0	7,429.0	0.0	0.000	4.95	
6	751.88	189,839	647	10,715.0	0.0	634.7	16.7	13.8	191.0	10,481.0	0.0	0.000	2.48	
7	751.80	189,592	-247	6,082.0	0.0	12.8	20.3	13.8	199.0	6,085.0	23.6	0.120	0.05	
8	752.08	190,424	832	3,828.0	0.0	123.1	21.9	13.9	198.0	2,873.0	11.8	0.060	0.48	
9	752.50	191,749	1,325	2,987.0	0.0	0.0	22.0	13.9	153.0	1,463.0	9.9	0.050	0.00	
10	752.82	192,743	994	2,410.0	0.0	0.0	22.6	13.9	78.0	1,284.0	17.9	0.090	0.00	
11	753.04	193,430	687	2,108.0	0.0	0.0	22.3	14.0	80.0	1,289.0	16.0	0.080	0.00	
12	753.16	193,804	374	1,798.0	0.0	0.0	22.8	14.0	79.0	1,292.0	16.0	0.080	0.00	
13	753.12	193,679	-125	1,599.0	0.0	0.0	27.5	14.0	375.0	1,293.0	14.0	0.070	0.00	
14	753.04	193,430	-249	1,499.0	0.0	0.0	31.8	14.0	396.0	1,292.0	14.0	0.070	0.00	
15	752.52	191,811	-1,619	1,276.0	0.0	0.0	32.2	14.0	400.0	2,441.0	7.9	0.040	0.00	
16	751.84	189,716	-2,095	1,260.0	0.0	0.0	31.9	13.9	397.0	2,889.0	23.6	0.120	0.00	
17	751.17	187,666	-2,050	1,267.0	0.0	0.0	32.0	13.8	397.0	2,857.0	17.6	0.090	0.00	
18	750.52	185,689	-1,977	1,238.0	0.0	63.0	31.9	13.7	397.0	2,826.0	9.7	0.050	0.25	
19	750.85	186,691	1,002	5,218.0	0.0	946.4	32.2	13.7	401.0	4,715.0	0.0	0.000	3.74	
20	751.88	189,839	3,148	21,175.0	0.0	99.8	21.9	13.9	395.0	17,694.0	2.0	0.010	0.39	
21	751.22	187,819	-2,020	9,869.0	0.0	86.4	21.3	13.8	386.0	11,539.0	15.7	0.080	0.34	
22	751.00	187,148	-671	5,162.0	0.0	0.0	21.0	13.8	274.0	5,507.0	17.6	0.090	0.00	
23	751.17	187,666	518	3,490.0	0.0	0.0	21.3	13.8	187.0	2,730.0	19.6	0.100	0.00	
24	751.47	188,581	915	2,607.0	0.0	0.0	21.9	13.8	268.0	1,367.0	21.6	0.110	0.00	
25	751.76	189,469	888	2,130.0	0.0	0.0	20.8	13.8	158.0	1,032.0	17.7	0.090	0.00	
26	752.06	190,394	925	1,961.0	0.0	0.0	22.5	13.9	10.0	972.0	17.8	0.090	0.00	
27	752.27	191,041	647	1,675.0	0.0	0.0	20.2	13.8	8.0	976.0	9.9	0.050	0.00	
28	752.42	191,503	462	1,503.0	0.0	0.0	21.6	14.0	9.0	979.0	17.8	0.090	0.00	
29	752.54	191,873	370	1,414.0	0.0	0.0	25.4	13.9	8.0	981.0	15.9	0.080	0.00	
TOTALS			15,257	125,387.0	0.0	4,039.5	672.9	400.2	6,223.0	106,474.0	399.9	2.040	15.99	
AVERAGE		188,542												

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: 3/15/2024

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	1.35	16.97	123%	102%	
Cachuma Dam (USBR)	332	0.00	0.00	1.32	23.39	143%	118%	
Carpinteria (Fire Stn)	208	0.00	0.00	1.58	21.48	152%	125%	
Cuyama (Fire Stn)	436	0.00	0.00	0.66	7.17	118%	93%	
Figueroa Mtn. (USFS Stn)	421	0.00	0.00	1.78	19.52	111%	91%	5.7
Gibraltar Dam (City Facility)	230	0.00	0.00	2.02	33.46	153%	127%	5.5
Goleta (Fire Stn-Los Carneros)	440	0.00	0.00	1.56	20.93	138%	114%	
Lompoc (City Hall)	439	0.00	0.00	1.36	18.79	156%	128%	5.4
Los Alamos (Fire Stn)	204	0.00	0.00	1.34	16.18	130%	106%	
San Marcos Pass (USFS Stn)	212	0.00	0.00	4.97	47.03	162%	137%	
Santa Barbara (County Bldg)	234	0.00	0.00	2.02	27.07	177%	147%	
Santa Maria (City Pub.Works)	380	0.00	0.00	1.43	12.73	117%	95%	
Santa Ynez (Fire Stn /Airport)	218	0.00	0.00	1.15	16.02	123%	101%	
Sisquoc (Fire Stn)	256	0.00	0.00	1.28	12.16	100%	81%	

County-wide percentage of "Normal-to-Date" rainfall : **136%**

County-wide percentage of "Normal Water-Year" rainfall : **112%**

County-wide 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)

Click on Site for Real-Time Readings	Spillway	Current	Max.	Current	Current	Storage	Storage
	Elev. (ft)	Elev. (ft)	Storage (ac-ft)	Storage (ac-ft)	Capacity (%)	Change Mo.(ac-ft)	Change Year*(ac-ft)
<u>Gibraltar Reservoir</u>	1,400.00	1,400.06	4,693	4,707	100.3%	-15	1,525
<u>Cachuma Reservoir</u>	753.**	753.76	192,978	195,366	101.2%	3,507	11,372
<u>Jameson Reservoir</u>	2,224.00	2,224.06	4,848	4,855	100.1%	-3	71
<u>Twitchell Reservoir</u>	651.50	570.15	194,971	22,768	11.7%	7,871	-32,664

California Irrigation Management Information System (CIMIS)

CIMIS Daily Report

Rendered in ENGLISH Units.
 Thursday, February 1, 2024 - Sunday, March 3, 2024
 Printed on Monday, March 4, 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)
2/1/2024	0.05 R	1.45	222	12.4	61.1	46.5	55.1	97	70	84	50.2	3.2	76.9	58.0
2/2/2024	0.06 R	0.10	247	10.0	60.3	41.4	48.9	99	57	85	44.6	2.3	54.6	58.1
2/3/2024	0.03 R	0.09	174	9.0	58.0	34.7	47.0	99	53	82	41.7	2.1	51.2	57.7
2/4/2024	0.02	2.65 H	74	12.1	58.7	48.8	55.0	92	75	82	49.5	8.9 R	213.8 R	56.4
2/5/2024	0.03	1.01	170	12.0	63.5	44.2	53.4	98	62	86	49.4	1.9	46.7	55.4
2/6/2024	0.03 R	0.35	173	11.0	55.6	45.7	49.8	99	73	90	47.0	1.8	42.7	54.8
2/7/2024	0.05	0.31	216	10.3	58.0	42.1	48.8	98	63	87	45.3	2.4	57.3	55.3
2/8/2024	0.05 R	0.00 R	0 R	8.7	45.2 Y	37.8	41.8	99	54	96	40.8	1.0 I	23.9 I	55.1
2/9/2024	0.08 R	0.00	351	8.3	61.0	35.9	45.5	100	45	80	39.8	2.5	59.6	55.0
2/10/2024	0.09 R	0.00	391	8.0	63.3	36.2	47.2	98	41	72	38.6	2.0	48.0	54.9
2/11/2024	0.09 R	0.00	395	7.2	64.8	30.6	45.2	99	30	70	36.1	1.9	46.4	54.9
2/12/2024	0.10	0.00	0 R	8.5	44.9 Y	38.9	41.4	99	33	96	40.2	1.0 I	24.0 I	54.7
2/13/2024	0.09	0.00	389	9.4	65.9	32.0	48.1	99	46	82	42.8	2.1	50.0	54.8
2/14/2024	0.08 R	0.00	309	10.6	63.0	44.1	53.2	96	53	77	46.2	1.9	45.3	55.2
2/15/2024	0.10 R	0.00	369	12.0	69.9	44.2	54.8	98	49	82	49.3	2.3	54.5	55.9
2/16/2024	0.10 R	0.00	389	11.0	70.9	42.6	54.1	99	46	77	46.9	1.9	46.6	56.7
2/17/2024	0.06 R	0.23	246	11.3	64.6	42.8	52.3	100	56	84	47.7	2.3	55.2	57.3
2/18/2024	0.02	0.44	126	13.1	64.2	49.6	56.1	94	67	85	51.6	3.0	71.3	57.4
2/19/2024	0.04	2.27	208	14.6 Y	62.7	52.0	57.5	98	80	90 Y	54.6 Y	3.0	72.4	56.7
2/20/2024	0.07 R	0.20	269	12.5	64.5	48.1	54.3	100	66	87	50.5	2.2	53.0	57.4
2/21/2024	0.10	0.20 H	378	12.2	65.2	48.5	55.2	98	58	82	49.8	2.7	66.0	57.7
2/22/2024	0.11	0.03 H	425	11.0	67.4	43.5	53.4	98	51	79	47.1	2.1	50.6	58.1
2/23/2024	0.10 R	0.00	341	9.7	75.0	42.1	53.5	99	30	69	43.6	2.2	53.1	58.4
2/24/2024	0.11 R	0.00	0 R	10.9	48.7 Y	45.5	47.7	98	36	97	46.8	1.0 I	23.8 I	58.1
2/25/2024	0.10	0.00	382	10.7	71.8	41.0	52.2	100	41	81	46.4	1.9	45.9	58.3
2/26/2024	0.05 R	0.00	231	10.9	65.9	42.1	52.5	99	51	81	46.9	1.6	38.4	58.5
2/27/2024	0.11 R	0.00	436	11.6	68.1	41.5	52.7	99	64	85	48.4	2.4	56.7	58.3
2/28/2024	0.12 R	0.00	453	11.5	73.7	42.1	54.1	100	46	80	48.2	2.1	50.8	58.5
2/29/2024	0.07	0.00	309	11.2	60.7	43.9	52.0	99	65	85	47.5	3.0	71.1	59.0
Tots/Avgs	2.11	9.33	265	10.7	62.6	42.4	51.1	98	54	83	46.1	2.4	56.9	56.8

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)
3/1/2024	0.07	0.06 R	0 R	13.0	53.7	52.0	52.7	97	76	96	51.5	1.0	25.0	58.9
3/2/2024	0.06 R	0.23	265	11.7	60.4	47.8	53.9	97	61	82	48.6	2.8	66.8	59.1
3/3/2024	0.09 R	0.13	360	10.4	60.8	43.2	51.5	98	54	80	45.5	2.8	67.2	59.1
Tots/Avgs	0.22	0.42	208	11.7	58.3	47.7	52.7	97	64	86	48.5	2.2	53.0	59.0

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

March 6, 2024

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

<u>Project Participant</u>	<u>Delivery Amount (acre-feet)</u>
Chorro	108.18
López.....	111.62
Shandon.....	0.00
Guadalupe.....	25.54
Santa Maria.....	267.48
Golden State Water Co.....	0.00
Vandenberg.....	153.60
Buellton	13.68
Solvang	39.91
Santa Ynez ID#1	0.03
Bradbury.....	0.00
TOTAL	720.04

In order to reconcile these deliveries with the DWR revenue meter, which read 728 acre-feet, the following delivery amounts should be used for billing purposes:

<u>Project Participant</u>	<u>Delivery Amount (acre-feet)</u>
Chorro	109
López	113
Shandon.....	0
Guadalupe.....	26
Santa Maria	271*
Golden State Water Co	0*
Vandenberg	155
Buellton	14
Solvang	40
Santa Ynez ID#1	0
Bradbury	0
TOTAL	728

*Golden State Water Company delivered 0 acre-feet into its system through the Santa Maria turnout. This delivery is recorded by providing a credit of 0 acre-feet to the City of Santa Maria and a charge in the same amount to the Golden State Water Company.

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

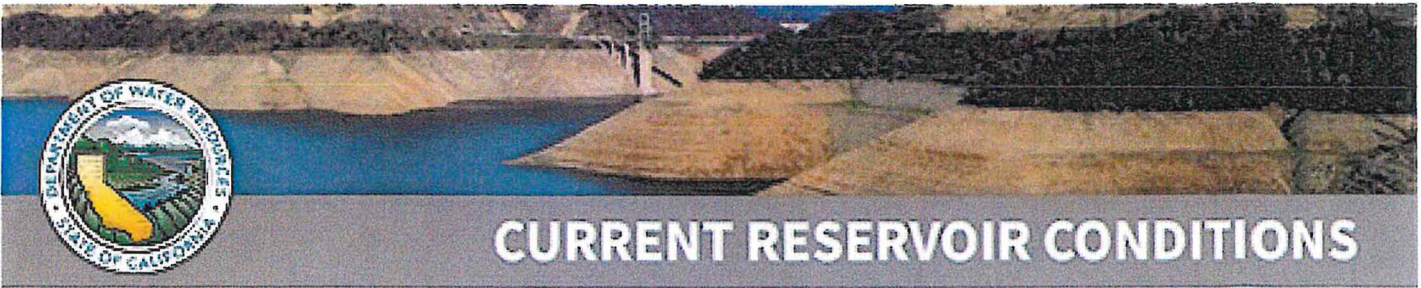
The exchange water is allocated as follows

<u>Project Participant</u>	<u>Exchange Amount (acre-feet)</u>
Goleta	0
Santa Barbara	0
Montecito	0
Carpinteria	<u>0</u>
TOTAL	0

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

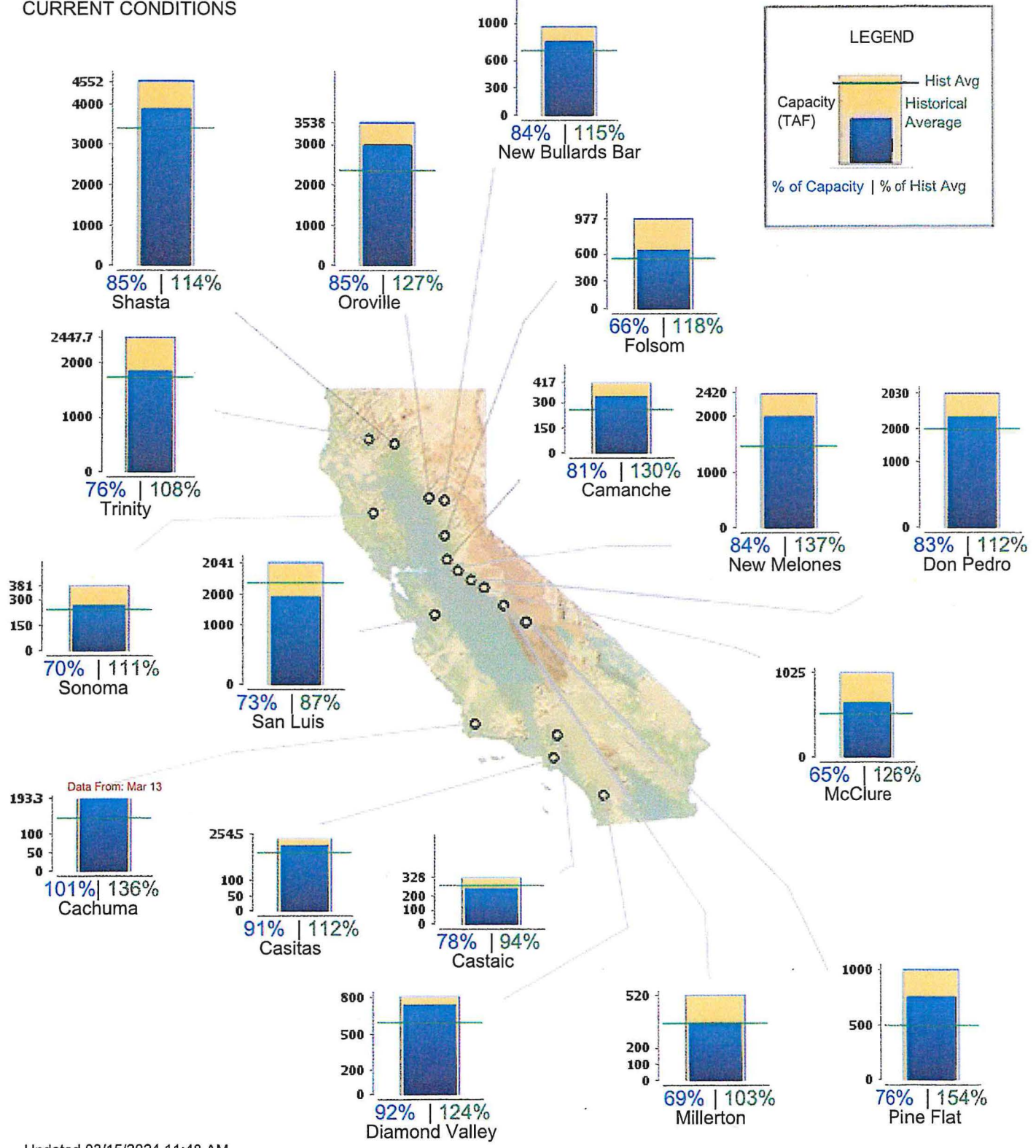
cc: Tom Bunosky, GWD
Mike Babb, Golden State WC
Joshua Haggmark, City of Santa Barbara
Janet Gingras, COMB
Craig Kesler, San Luis Obispo County
Paeter Garcia, Santa Ynez RWCD ID#1
Shad Springer, City of Santa Maria
City of Guadalupe
Robert MacDonald, Carpinteria Valley WD
Mike Alvarado, La Cumbre Mutual 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 CURRENT CONDITIONS

Midnight - March 14, 2024



NOTICE TO STATE WATER PROJECT CONTRACTORS**Date: February 21, 2024****Number: 24-02****Subject: Increase of State Water Project 2024 Allocation to 15 Percent****From:**

A handwritten signature in black ink that reads "Ted Craddock".

Ted Craddock
Deputy Director, State Water Project
Department of Water Resources

After a very dry start to the water year, moderate precipitation through February 1, 2024 has modestly improved actual and forecasted water supplies. With the updated water supply forecast, the Department of Water Resources (DWR) is increasing the State Water Project (SWP) allocation from 10 to 15 percent of SWP contractors' requested Table A amounts for 2024, as shown in Attachment A – Updated 2024 SWP Allocation Table.

To determine the available SWP water supplies, DWR considers several factors including SWP contractors' 2023 carryover supplies into 2024, projected 2024 demands, existing storage in SWP conservation facilities, estimates of future runoff, SWP operational and regulatory requirements under the Federal Endangered Species Act and California Endangered Species Act, and water rights obligations under the State Water Resources Control Board's authority. The February allocation forecast update takes into account snow survey measurements and data up until February 1 and spring runoff forecasts outlined in the first Bulletin 120 of the season. DWR may revise the SWP allocation if hydrologic conditions change.

To schedule SWP water deliveries under this allocation, DWR will utilize the 15-percent water delivery schedules submitted by SWP contractors in October 2023 (as part of initial requests) with any subsequent updates. If a contractor foresees any changes to their water delivery schedule, please communicate such changes to DWR in a timely manner.

If you have any questions or need additional information, please contact John Leahigh, Assistant Division Manager, Water Management, SWP Division of Operations and Maintenance, at (916) 902-9876.

Attachment A: Updated 2024 SWP Allocation Table

Attachment A
2024 STATE WATER PROJECT ALLOCATION
Updated
February 21, 2024

SWP Contractors	Maximum Table A Amount (Acre-Feet)	Initial Table A Request Amount (Acre-Feet)	Approved Table A Allocation (Acre-Feet)	Approved Allocation as a Percentage of Initial Request
	(1)	(2)	(3)	(4) = (3)/(2)
<u>FEATHER RIVER</u>				
County of Butte	27,500	27,500	5,000	~ 18%
Plumas County FC&WCD	2,700	2,700	405	15%
City of Yuba City	9,600	9,600	2,880	30%
Subtotal	39,800	39,800	8,285	
<u>NORTH BAY</u>				
Napa County FC&WCD	29,025	29,025	8,708	30%
Solano County WA	47,756	47,756	14,327	30%
Subtotal	76,781	76,781	23,035	
<u>SOUTH BAY</u>				
Alameda County FC&WCD, Zone 7	80,619	80,619	12,093	15%
Alameda County WD	42,000	42,000	6,300	15%
Santa Clara Valley WD	100,000	100,000	15,000	15%
Subtotal	222,619	222,619	33,393	
<u>SAN JOAQUIN VALLEY</u>				
Oak Flat WD	5,700	5,700	855	15%
County of Kings	9,305	9,305	1,396	15%
Dudley Ridge WD	41,350	41,350	6,203	15%
Empire West Side ID	3,000	3,000	450	15%
Kern County WA	982,730	982,730	147,410	15%
Tulare Lake Basin WSD	87,471	87,471	13,121	15%
Subtotal	1,129,556	1,129,556	169,435	
<u>CENTRAL COASTAL</u>				
San Luis Obispo County FC&WCD	25,000	25,000	3,750	15%
Santa Barbara County FC&WCD	45,486	45,486	6,823	15%
Subtotal	70,486	70,486	10,573	
<u>SOUTHERN CALIFORNIA</u>				
Antelope Valley-East Kern WA	144,844	144,844	21,727	15%
Santa Clarita Valley WA	95,200	95,200	14,280	15%
Coachella Valley WD	138,350	138,350	20,753	15%
Crestline-Lake Arrowhead WA	5,800	5,800	870	15%
Desert WA	55,750	55,750	8,363	15%
Littlerock Creek ID	2,300	2,300	345	15%
Metropolitan WDSC	1,911,500	1,911,500	286,725	15%
Mojave WA	89,800	89,800	13,470	15%
Palmdale WD	21,300	21,300	3,195	15%
San Bernardino Valley MWD	102,600	102,600	15,390	15%
San Gabriel Valley MWD	28,800	28,800	4,320	15%
San Geronio Pass WA	17,300	17,300	2,595	15%
Ventura County WPD	20,000	20,000	3,000	15%
Subtotal	2,633,544	2,633,544	395,033	
TOTAL	4,172,786	4,172,786	639,754	~ 15%



A Meeting of the
**BOARD OF DIRECTORS
OF THE
CENTRAL COAST WATER AUTHORITY**

will be held at 9:00 a.m., on Thursday, February 22, 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/1440921689>
or by dialing (623)404-9000 and entering access Code/Meeting ID: #144 092 1689

Please note: public participation by video call or telephone is for convenience only and is not required by law. If technical interruptions to the video call/telephone occur, the chair has the discretion to continue the meeting and participants are invited to take advantage of the other participation options above.

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

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

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

Eric Friedman
Chairman

Jeff Clay
Vice Chairman

Ray A. Stokes
Executive Director

Brownstein Hyatt
Farber Schreck
General Counsel

Member Agencies

City of Buellton

Carpinteria Valley
Water District

City of Guadalupe

City of Santa Barbara

City of Santa Maria

Goleta Water District

Montecito Water District

Santa Ynez River Water
Conservation District,
Improvement District #1

Associate Member

La Cumbre Mutual
Water Company

I. Call to Order and Roll Call

II. Closed Session

- A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Initiation of litigation pursuant to Government Code section 54956.9(d) (4): 1 case
- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Government Code section 54956.9(d) (1)
Name of case: Central Coast Water Authority, et al. v. Santa Barbara County Flood Control and Water Conservation District, et al. (Case No. 21CV02432)

III. Return to Open Session

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

V. Consent Calendar

- * A. Minutes of the January 25, 2024 Regular Meeting
 - * B. Bills
 - * C. Controller's Report
 - * D. Operations Report
- Staff Recommendation: Approve the Consent Calendar*

255 Industrial Way
Buellton, CA 93427
(805) 688-2292
Fax (805) 686-4700
www.ccwa.com

* Indicates attachment of document to original agenda packet.

Continued

VI. Executive Director's Report

- A. Water Supply Situation Report
Staff Recommendation: Informational item only.
- *B. Preliminary DRAFT Administrative Rules for the Transfer and Exchange of Water
Staff Recommendation: Informational item only.
- *C. State Water Contractors Science Program Overview and Presentation
Staff Recommendation: Informational item only.
- D. Update on CCWA Statement of Charges Protest Items
Staff Recommendation: Informational item only.
- E. DRAFT FY 2024/25 CCWA Objectives
Staff Recommendation: Informational item only.
- F. State Water Contractors Report
Staff Recommendation: Informational item only.
- *G. Legislative Report
Staff Recommendation: Informational item only.

VII. Reports from Board Members for Information Only

VIII. Items for Next Regular Meeting Agenda

IX. Date of Next Regular Meeting: March 28, 2024

X. Adjournment

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

will be held at 9:00 a.m., on Thursday, March 14, 2024
at 255 Industrial Way, Buellton

Members of the public may participate by video call or telephone via
URL: <https://meetings.ringcentral.com/j/1494829862>
or via telephone by dialing 1 (623) 404-9000 and entering code 149 482 9862 #



Eric Friedman
Chairman

Jeff Clay
Vice Chairman

Ray A. Stokes
Executive Director

Brownstein Hyatt
Farber Schreck
General Counsel

Member Agencies

City of Buellton

Carpinteria Valley
Water District

City of Guadalupe

City of Santa Barbara

City of Santa Maria

Goleta Water District

Montecito Water District

Santa Ynez River Water
Conservation District,
Improvement District #1

Associate Member

La Cumbre Mutual
Water Company

255 Industrial Way
Buellton, CA 93427
(805) 688-2292
Fax (805) 686-4700
www.ccwa.com

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

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

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

- I. Call to Order and Roll Call**
- II. CLOSED SESSION**
CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Government Code section 54956.9(d) (1)
Name of case: Central Coast Water Authority, et al. v. Santa Barbara County
Flood Control and Water Conservation District, et al. (Case No. 21CV02432)
- III. Public Comment – (Any member of the public may address the Committee relating to any matter within the Committee’s jurisdiction. Individual Speakers may be limited to five minutes; all speakers to a total of fifteen minutes.)**
- IV. * Consent Calendar**
 - A. Minutes of the January 11, 2024 Operating Committee Meeting
Staff Recommendation: Approve Consent Calendar.
- V. Executive Director’s Report**
 - A. Operations Update
Staff Recommendation: Informational item only.
 - B. Water Supply Situation Report
Staff Recommendation: Informational item only.
 - * C. DRAFT Administrative Rules for the Transfer and Exchange of Water
Staff Recommendation: Informational item only.
 - * D. CCWA FY 2024/25 Preliminary Budget
Staff Recommendation: Informational item only.
- VI. Reports from Committee Members for Information Only**
- VII. Date of Next Regular Meeting: July 11, 2024**
- VIII. Adjournment**

- * Indicates attachment of document to agenda packet
- ◆ The CCWA FY 2023/24 Preliminary Budget has been provided to Committee members and is available on-line at www.CCWA.com, if you require a hard copy please contact Lisa Watkins at lfw@ccwa.com.



Central Coast Water Authority

(<https://ccwa.specialdistrict.org/>)

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

Search...

Go!

THIS ITEM APPEARS ON

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

MAR
28
2024

Board Meeting

COPYRIGHT © 2024 CENTRAL COAST WATER AUTHORITY

255 INDUSTRIAL WAY, BUELLTON CA 93427

TELEPHONE (805) 688-2292

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

[BOARD MEMBER PORTAL \(HTTPS://CCWBOARDPORTAL.SPECIALDISTRICT.ORG/\)](https://ccwboardportal.specialdistrict.org/)

[PRIVACY POLICY \(/PRIVACY-POLICY\)](/privacy-policy)

[DISTRICT TRANSPARENCY \(TRANSPARENCY.HTML\)](transparency.html)

POWERED BY STREAMLINE ([HTTP://WWW.GETSTREAMLINE.COM/](http://www.getstreamline.com/)) | [SIGN IN](#)

([HTTPS://CCWA.SPECIALDISTRICT.ORG/USERS/SIGN_IN?DESTINATION=%2F2024-03-28-BOARD-MEETING](https://ccwa.specialdistrict.org/users/sign_in?destination=%2F2024-03-28-board-meeting))

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT,
IMPROVEMENT DISTRICT NO.1
FEBRUARY 20, 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, February 20, 2024, in-person at 1070 Faraday Street.

Trustees Present: Michael Burchardi
Jeff Clay
Brad Joos
Mark Moniot
Nick Urton

Trustees Absent: None

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

1. CALL TO ORDER AND ROLL CALL:

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

Ms. Robel announced that Trustee Moniot was sworn in as a new Board member prior to today's Board meeting.

2. PLEDGE OF ALLEGIANCE:

President Clay led the Pledge of Allegiance.

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

Ms. 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:

President Clay 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 JANUARY 16, 2024

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

President Clay asked if there were any changes or additions to the Regular Meeting Minutes of January 16, 2024. There were no changes or additions requested.

It was MOVED by Trustee Joos, seconded by Trustee Burchardi, and carried by a 4-0-1 voice vote, with Trustee Moniot abstaining, to approve the January 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 January.
5

6 It was MOVED by Trustee Joos, seconded by Trustee Urton, and carried by a 5-0-0 voice vote, to
7 approve the Consent Agenda as presented.
8

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

11 A. DISTRICT ADMINISTRATION
12

13 1. Financial Report on Administrative Matters

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

15 Ms. Robel announced that the Financial Statements were provided to the Board via
16 email earlier today and were included in the handout materials and posted on the
17 District’s website in the Board packet materials section for any member of the public
18 wishing to follow along or receive a copy.
19

20 Ms. Robel reviewed the Statement of Revenues and Expenses for the month of
21 January. She highlighted various line-items related to revenue and expense
22 transactions that occurred during the month and referred to the Fiscal-Year-to-Date
23 Statement of Revenues and Expenses that provides a budget to actual snapshot for the
24 month of January. Ms. Robel reported that the District revenues for the month of
25 January exceeded the expenses by \$45,746.72 and the year-to-date net income was
26 \$1,851,829.27.
27

28 b) Approval of Accounts Payable

29 Ms. Robel announced that the Warrant List was provided to the Board via email earlier
30 today and included in the handout materials and posted on the District’s website in
31 the Board packet materials section for any member of the public wishing to follow
32 along or receive a copy.
33

34 The Board reviewed the Warrant List which covered warrants 25670 through 25733 in
35 the amount of \$981,650.69.
36

37 It was MOVED by Trustee Burchardi, seconded by Trustee Urton, and carried by a 5-
38 0-0 voice vote, to approve the Warrant List for January 17, 2024 through February 20,
39 2024.
40

41 c) Quarterly Balance Sheet Inclusive of Reserve Accounts

42 The Board packet included the Quarterly Balance Sheet inclusive of the Reserve
43 Accounts as of December 31, 2023.
44

45 Ms. Robel presented the December 31, 2023 Quarterly Balance Sheet and Reserve
46 Balance summaries. She explained the detail within each line-item, the allocation of
47 reserves, reserve fund activity during the quarter, the bottom-line net position, and
48 the District’s reserve balances. Ms. Robel reported that the District’s assets and
49 liabilities balance at \$49,761,003.42 and that the total Board-restricted reserve balance
50 was \$17,004,690.79 on December 31, 2023.
51

52 Ms. Robel stated that in December the Board approved and accepted the FY 2023/2022
53 Financial Statements which resulted in surplus revenues in the amount of \$2,672,084.

1 She explained that management has reviewed the District's unrestricted fund balance
2 as of December 31, 2023 and recommends that the Board consider splitting the surplus
3 balance equally and transferring \$1,336,042 to both the Repair and Replace and the
4 Plant Expansion Board-reserved funds respectively.
5

6 After a brief discussion, it was **MOVED** by Trustee Urton, seconded by Trustee Clay,
7 and carried by a 5-0-0 voice vote, to authorize the transfer of \$2,672,084 of unrestricted
8 cash to be split equally at \$1,336,042 and added to the Repair and Replace and Plant
9 Expansion Board-restricted reserve accounts.
10

11 **2. Personnel Recruitment Update**

12 Mr. Garcia reported that staff continues to work with Regional Governmental Services
13 (RGS) in the recruitment process for the District's vacant positions. He explained that
14 RGS has completed the minimum qualification screening interviews for the Water
15 Resources Specialist I/II position, and that the first round of in-person District interviews
16 for the position are currently being scheduled for the last week of February. Mr. Garcia
17 also reported that recruitment for the Administrative & Financial Manager position was
18 opened on January 11th and closed February 2, 2024. He indicated that RGS has completed
19 the pre-screening interviews, and the next step is for the District to schedule and conduct
20 in-person interviews as soon as possible.
21

22 **B. OPERATIONS UPDATE**

23 Mr. Garcia reported that the budget-approved multi-year Motor Control Center (MCC)
24 capital improvement project is nearing completion. He provided an overview of the MCC
25 project work to upgrade the electrical panels and related facilities at nine of the District's well
26 and booster pump facilities. Mr. Dan Drugan, Water Resources Manager, explained the
27 extraordinary levels of work and coordination that have been required among District
28 personnel, Smith Mechanical and Electricraft as the District's contractors, and PG&E on
29 different components of the project. Mr. Drugan also expressed his appreciation and
30 compliments to the District's field crew for their coordination and operation of the water
31 distribution system during times when various components of the system were required to
32 be shut down during MCC construction at each site.
33

34 **9. REPORT, DISCUSSION, AND POSSIBLE BOARD ACTION ON THE FOLLOWING SUBJECTS:**
35

36 **A. SUSTAINABLE GROUNDWATER MANAGEMENT ACT**

37 **1. Eastern Management Area (EMA) Update**

38 The Board packet included notice of the February 22, 2024 EMA GSA Regular Committee
39 meeting, a letter to the DWR Sustainable Groundwater Management Office dated January
40 5, 2024 from the Santa Ynez River Valley Basin GSAs, a letter dated January 16, 2024 from
41 the State Water Resources Control Board, and a letter dated January 18, 2024 from the
42 DWR Sustainable Groundwater Management Office.
43

44 Mr. Garcia provided an overview of the joint meeting held by the three GSAs of the Basin,
45 including the Western, Central, and Eastern areas, which occurred in early January. He
46 stated that the Committees met to review, discuss, and approve an Action Plan for the
47 Basin to address the April 14, 2023 comments received from staff of the State Water
48 Resources Control Board (SWRCB). He reported that the Action Plan was approved by
49 the Committees and submitted to the Department of Water Resources (DWR). Mr. Garcia
50 reported that the SWRCB accepted the Action Plan by way of letter dated January 16, 2024.
51 He also announced that DWR has approved the three GSPs for the Basin by letter dated
52 January 18, 2024. Mr. Garcia reported that discussions are ongoing regarding finalization

1 of a JPA for EMA governance. He indicated that the process has been at a standstill for
2 several months because of a new demand by the Santa Ynez River Water Conservation
3 District (SYRWCD), or at least one Director thereof, that some type of informal election
4 process, not conducted by the County Elections Office and not subject to the Elections
5 Code, be used to select an agricultural director for the JPA Board. Mr. Garcia explained
6 that the parties, including the agricultural representatives, previously reached tentative
7 agreement on a process for an agricultural director to be appointed to the JPA Board by
8 the Directors from the four public agencies that comprise the JPA. However, the
9 SYRWCD now insists that the JPA must include an express requirement for an informal
10 election (not conducted by the County Elections Office and not subject to the Elections
11 Code) to occur in the un-districted area of the EMA as a means of seating an agricultural
12 director on the JPA Board.
13

14 Mr. Garcia stated that a ceremony was held on February 8, 2024 where the Department of
15 Water Resources awarded a \$5.4 million dollar grant to be allocated among the three
16 Management Areas of the Basin. He reported that he, Trustees Joos and Burchardi, and
17 Mr. Drugan attended the ceremony on behalf of ID No.1. Mr. Garcia stated that the next
18 regular meeting of the EMA GSA is scheduled for February 22, 2024.
19

20 **B. HEXAVALENT CHROMIUM (Cr6) – PROPOSED MAXIMUM CONTAMINANT LEVEL (MCL)**

21 1. Update on SWRCB Proposed Drinking Water MCL for Cr6 of 10 parts per billion
22

23 The Board packet included a California State Water Resources Control Board (SWRCB)
24 announcement extending the Comment Period regarding the proposed regulation for a
25 Hexavalent Chromium Maximum Contaminant Level (MCL) in drinking water, and a
26 Notice of Public Availability of Additional Documents to be relied upon by the SWRCB
27 regarding the proposed Hexavalent Chromium MCL.
28

29 Mr. Garcia reported that on February 15, 2024 the SWRCB issued another 15-Day Notice
30 regarding the proposed drinking water MCL of 10 parts per billion (ppb) for Hexavalent
31 Chromium. The latest Notice provides an opportunity for public comment on a
32 November 2023 draft document published by the Office of Environmental Health Hazard
33 Assessment (OEHHA) regarding a proposed health protective concentration for the non-
34 cancer effects of Hexavalent Chromium in drinking water, a document that the SWRCB
35 intends to make part of the administrative record for its decision on the proposed MCL of
36 10 ppb. He stated that the public comment period ends on March 4, 2024. Mr. Garcia
37 reviewed excerpts from the OEHHA Public Review Draft document and indicated that
38 this new information suggests that the SWRCB is moving closer to adopting a new 10 ppb
39 MCL for Hexavalent Chromium.
40

41 Discussion ensued regarding the current federal and state standards for Chromium 6,
42 which are 100 ppb and 50 ppb respectively, extraordinary compliance costs, treatment
43 options, the EIR process, health and safety issues, and the potential effect on water
44 providers, including small mutual water companies.
45

46 Mr. Garcia stated that staff continues to monitor the SWRCB's actions regarding the
47 proposed adoption of a new Chromium 6 MCL and will provide further information as it
48 becomes available.

1 **10. REPORTS BY THE BOARD MEMBERS OR STAFF, QUESTIONS OF STAFF, STATUS REPORTS,**
2 **ANNOUNCEMENTS, COMMITTEE REPORTS, AND OTHER MATTERS AND/OR COMMUNICATIONS**
3 **NOT REQUIRING BOARD ACTION**
4

5 The Board packet included a news article titled "This Central Coast reservoir is almost full again.
6 When will it spill?," and the Department of Water Resources – Current California Reservoir
7 Conditions.
8

9 Mr. Garcia provided a brief overview of issues related to the Board packet materials. Trustee
10 Burchardi reported that the next Los Olivos Community Services District meeting is on February
11 28th and that they are evaluating treatment options and reconsidering consolidation with the City
12 of Solvang.
13

14 **11. CORRESPONDENCE: GENERAL MANAGER RECOMMENDS FILING OF VARIOUS ITEMS**
15 The Correspondence List was received by the Board.
16

17 **12. REQUESTS FOR ITEMS TO BE INCLUDED ON THE NEXT REGULAR MEETING AGENDA:**
18 There were no requests from the Board.
19

20 **13. NEXT MEETING OF THE BOARD OF TRUSTEES:**
21 President Clay stated that the next Regular Meeting of the Board of Trustees is scheduled for
22 March 19, 2024 at 3:00 p.m.
23

24 **14. CLOSED SESSION:**
25 The Board adjourned to closed session at 5:00 p.m.
26

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

28 [Subdivision (d)(1) of Section 54956.9 of the Government Code – 2 Cases]

- 29 1. Name of Case: Adjudicatory proceedings pending before the State Water Resources
30 Control Board regarding Permit 15878 issued on Application 22423 to the City of
31 Solvang, Petitions for Change, and Related Protests
32
- 33 2. Name of Case: Central Coast Water Authority, et al. v. Santa Barbara County Flood
34 Control and Water Conservation District, et al., Santa Barbara County Superior Court
35 Case No. 21CV02432
36

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

38 [Subdivision (d)(2) of Section 54956.9 of the Government Code – Significant Exposure to
39 Litigation Against the Agency – One Matter]
40

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

42 [Subdivision (d)(4) of Section 54956.9 of the Government Code – Potential Initiation of
43 Litigation By the Agency – One Matter]
44

45 **15. RECONVENE INTO OPEN SESSION**
46 [Sections 54957.1 and 54957.7 of the Government Code]
47

48 The Board reconvened to open session at approximately 6:06 p.m. Mr. Garcia announced that
49 the Board met in closed session in accordance with Agenda Items 14.A.1, 14.A.2, 14.B., and 14.C.
50 He reported that there was no reportable action for any of the closed session Agenda Items.
51

NOTICE AND AGENDA OF REGULAR MEETING

**GROUNDWATER SUSTAINABILITY AGENCY FOR THE EASTERN MANAGEMENT AREA
IN THE SANTA YNEZ RIVER GROUNDWATER BASIN**

**HELD AT
SANTA YNEZ COMMUNITY SERVICES DISTRICT, MEETING ROOM
1070 FARADAY STREET, SANTA YNEZ, CALIFORNIA
6:30 P.M., THURSDAY, FEBRUARY 22, 2024**

EMA GSA Alternate Committee Member Steve Jordan will be attending the meeting via teleconference from the following location: 46250 East El Dorado, Indian Wells, CA 92210. Members of the public may join Director Jordan at that location.

Optional remote public participation is available via Telephone or ZOOM

To access the meeting via telephone, please dial: 1-669-900-6833 or 1-669-444-9171 or via the Web at: <http://join.zoom.us>

“Join a Meeting” - **Meeting ID 842 5092 2697 Meeting Passcode: 665113**

*** Please Note ***

The above teleconference option for public participation is being offered as a convenience only and may limit or otherwise prevent your access to and participation in the meeting due to disruption or unavailability of the teleconference line. If any such disruption of unavailability occurs for any reason the meeting will not be suspended, terminated, or continued.

Therefore in-person attendance of the meeting is strongly encouraged.

AGENDA OF REGULAR MEETING

1. Call to Order and Roll Call
2. Additions or Deletions to the Agenda
3. Public Comment (Any member of the public may address the Committee relating to any non-agenda matter within the Committee’s jurisdiction. The total time for all public comment shall not exceed fifteen minutes and the time allotted for each individual shall not exceed five minutes. No action will be taken by the Committee at this meeting on any public comment item.)
4. Review and consider approval of meeting minutes of December 14, 2023, and meeting minutes of Joint GSAs meeting of January 5, 2024
5. Review and consider approval of Financial Statements and Warrant List
6. Review and consider requests for EMA GSA Written Verifications under Executive Order N-7-22 revised under Executive Order N-5-23 in the EMA for the following parcels:
 - a. APN 141-100-055 1640 Rolling Hills Rd. Santa Ynez (Cameron Sinai)
 - b. APN 133-151-053 5200 Foxen Canyon Rd. Los Olivos (William Taylor)
7. Receive update on change of DWR Point of Contact for the Santa Ynez Basin
8. Receive update on the Groundwater Sustainability Plan for the EMA
9. Receive update on DWR Sustainable Groundwater Management Implementation Grant
10. Receive update on the SGMA Third Annual Report for the EMA.
11. Receive update on SGMA Governance and Draft Joint Powers Agreement for the EMA

-
12. Review and discuss meeting schedule for next two months. All meetings held at 6:30 PM, Santa Ynez CSD Meeting Room, 1070 Faraday St., Santa Ynez
 - a. Next Special EMA GSA Committee meeting, Thursday, March 28, 2024
 - b. Tentative Special EMA GSA Committee meeting Thursday, April 25, 2024
 - c. Next Regular EMA GSA Committee meeting, Thursday, May 23, 2024
 13. DWR Groundwater Awareness Week, March 10-16, 2024
 14. EMA GSA Committee reports and requests for future agenda items
 15. Adjournment

[This agenda was posted 72 hours prior to the scheduled regular meeting at 3669 Sagunto Street, Suite 101, Santa Ynez, California, and SantaYnezWater.org in accordance with Government Code Section 54954. In compliance with the Americans with Disabilities Act, if you need special assistance to review agenda materials or participate in this meeting, please contact the Santa Ynez River Water Conservation District at (805) 693-1156. Advanced notification as far as practicable prior to the meeting will enable the GSA to make reasonable arrangements to ensure accessibility to this meeting.]

Santa Ynez River Valley Groundwater Basin

(<https://www.santaynezwater.org/>)

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

THIS ITEM APPEARS ON

[EMA GSA COMMITTEE MEETINGS \(/EMA-GSA-COMMITTEE-MEETINGS\)](/EMA-GSA-COMMITTEE-MEETINGS)

MAR
28
2024

EMA GSA Committee Special Meeting, 6:30 pm

Save the Date.

6:30 pm at Santa Ynez CSD Meeting Room

COPYRIGHT © 2024 SANTA YNEZ RIVER VALLEY GROUNDWATER BASIN
3669 SAGUNTO ST, SUITE 101 (MAIL:: P.O. BOX 719), SANTA YNEZ CA 93460
TELEPHONE (805) 693-1156

[PRIVACY POLICY \(/PRIVACY-POLICY\)](/PRIVACY-POLICY)

[DISTRICT TRANSPARENCY \(TRANSPARENCY.HTML\)](TRANSPARENCY.HTML)

POWERED BY STREAMLINE (<HTTP://WWW.GETSTREAMLINE.COM/>) | [SIGN IN](#)

(HTTPS://WWW.SANTAYNEZWATER.ORG/USERS/SIGN_IN?DESTINATION=%2F2024-03-28-EMA-GSA-COMMITTEE-SPECIAL-MEETING-6-30-PM)



COUNTY OF SANTA BARBARA CALIFORNIA

RESOLUTION RECOGNIZING MARCH 10TH – MARCH 16TH AS NATIONAL GROUNDWATER AWARENESS WEEK IN SANTA BARBARA COUNTY

WHEREAS, without water, life – animal, plant, or human – could not exist; and

WHEREAS, water is a scarce and valuable resource, especially in the American West, where low precipitation levels result and an arid climate result in limited water reserves; and

WHEREAS, climate change is expected to exacerbate the challenges of managing water, as longer periods of drought punctuated by extreme weather events are expected to make rainfall more difficult to capture; and

WHEREAS, groundwater in aquifers below the earth's surface makes up over a thousand times more water than is in all the world's surface water in rivers and lakes; and

WHEREAS, in Santa Barbara County, groundwater makes up approximately 50% of water supplied in public water systems, and roughly 80% of our overall water supply; and

WHEREAS, National Groundwater Awareness Week is an annual week of awareness, education, and advocacy, focusing on one of the nation's most precious resources; and

WHEREAS, National Groundwater Awareness Week reminds us that water conservation is important in using this limited resource wisely; and

WHEREAS, National Groundwater Awareness Week serves as an annual reminder to groundwater well owners in Santa Barbara County to test, tend, and treat their private water systems regularly; and

WHEREAS, we should always be mindful of maintaining groundwater health by keeping hazardous chemical pollutants such as paint, fertilizer, pesticides, and motor oil far away from water wells, and by maintaining a "clean" zone of at least 50 feet between water wells and any kennels or livestock operations; and

WHEREAS, groundwater is a valuable resource that, if protected and managed properly, can continue to be utilized now and for generations to come.

NOW, THEREFORE, BE IT ORDERED AND RESOLVED that this Board of Supervisors declares March 10th – March 16th, 2024 as National Groundwater Awareness Week in Santa Barbara County.

PASSED and adopted by the Board of Supervisors of Santa Barbara County, State of California, this 12th day of March 2024.



ATTEST:

Clerk of the Board

[Signature]

Supervisor - 1st District

[Signature]

Supervisor - 2nd District

[Signature]

Supervisor - 3rd District

[Signature]

Supervisor - 4th District

[Signature]

Supervisor - 5th District



Home | Drinking Water | Certlic | Drinkingwater | Hexavalent Chromium MCL

Hexavalent Chromium MCL (SWRCB-DDW-21-003)

Hexavalent Chromium MCL Information

Sections Affected

Sections Affected: California Code of Regulations, Title 22, sections 64415, 64431, 64432, 64447.2, 64463.4, 64465, and 64481

Summary of Rulemaking Proceedings

- Standardized Regulatory Impact Assessment (SRIA) Submitted to Department of Finance: **13 December 2022**
 - SRIA (an updated version of this document is included in the formal rulemaking as ISOR Attachment #2)
 - DF-131
- Notice of Proposed Rulemaking Published: **16 June 2023**
- Close of 45-Day Public Comment Period: **4 August 2023**
- Date of Administrative Procedure Act Public Hearing: **2 August 2023**
 - Hearing recording (English | Español)
 - Board staff presentation slides (English | Español)
- Notice of Public Availability of Changes to Proposed Rulemaking Published: **22 November 2023**
 - Close of 15-Day Public Comment Period: **15 December 2023**
- Notice of Public Availability of Additional Documents Relied Upon: **31 January 2024**
 - Close of 15-Day Public Comment Period: **4 March 2024**
- Board Adoption Hearing: **17 April 2024**
- Date Filed with Office of Administrative Law: TBD
- Approved by Office of Administrative Law: TBD
- Filed with the Secretary of State: TBD
- Effective Date: TBD



- A hearing was held on August 2, 2023
- Written comments were due August 18, 2023 (for the 45-day comment period)
- Written comments were due December 15, 2023 (for the 15-day comment period)
- Written comments due March 4, 2024 (for the 2nd 15-day comment period)

Proposed MCL: **10 ppb** (0.010 mg/L)

Proposed DLR: **0.1 ppb** (0.0001 mg/L)

This MCL includes a compliance schedule based on water system size and requirements to submit compliance plans and operations plans under certain conditions. See the rulemaking documentation below for details.

Inquiries regarding the contents of this regulation may be directed to Bethany Robinson (Bethany.Robinson@waterboards.ca.gov) and Melissa Hall (Melissa.Hall@waterboards.ca.gov).

Rulemaking Documentation

Revised Second 15-day Comment Period Documents

- Notice of Public Availability of Additional Documents Relied Upon
 - English | Español

Second 15-Day Comment Period Documents

- Notice of Public Availability of Additional Documents Relied Upon
 - English | Español
- List of Material Added to Documents Relied Upon
 - OEHHA. (2023). Public Review Draft of a Proposed Health-Protective Concentration for the Noncancer Effects of Hexavalent Chromium in Drinking Water. California Environmental Protection Agency, Office of Environmental Health Hazard Assessment.
 - SWRCB. (2024). Consolidation and Alternatives Analysis. State Water Resources Control Board
 - Attachment 1

15-Day Comment Period Documents

- Notice of Public Availability of Changes to Proposed Regulations
 - English | Español
- Text of Proposed Regulations

- Appendix B
- Appendix C
- Appendix D
- Appendix E
- Notice of Availability of Draft Environmental Impact Report
- Notice of Completion of Draft Environmental Impact Report

Peer Review Documents

- Peer Review Request
- Peer Review
 - Reviewer 1
 - Reviewer 2
 - Reviewer 3
- Peer Review Response

Complete Rulemaking File (in Progress)

Item

Date

Notice of Proposed Rulemaking:

Notice of Proposed Rulemaking, Public Hearing, and 45-day Notice Period to Consider
Proposed Hexavalent Chromium MCL Regulation 6/16/23

- English | Español
- ~~Revised Notice of Proposed Rulemaking~~ | Español
- ~~Second Revised Notice of Proposed Rulemaking~~
- Third Revised Notice of Proposed Rulemaking

Initial Statement of Reasons (ISOR) - ISOR Errata

5/4/23

- ISOR Attachment 1: Cost Tables
- ISOR Attachment 2: Standardized Regulatory Impact Assessment (SRIA) and Cost Estimating Methodology (updated)
- ISOR Attachment 3: Other Chemicals Above the PHG
- ISOR Attachment 4: DLR Surveys Summary
- ISOR Attachment 5: Cost Estimates for Individual Sources

Notice of Public Availability of Changes to Proposed Regulation:

Notice of Public Availability of Changes to Proposed Regulations (15-day comment period) 11/22/23

- English | Spanish

Revised Text of Proposed Regulations 11/22/23

Addendum to Initial Statement of Reasons (ISOR) 11/22/23

Office of Administrative Law (OAL) Notices:

June 2023 California Regulatory Notice Registers, Office of Administrative Law 6/16/23

California Regulatory Notice Register 2023, Volume Number 24-Z, pp 783-804 6/16/23

List of Materials and Documents Relied Upon:

An Excel List of Materials and Documents Relied Upon is available. However, not all documents are available online. To request a document, email Bethany.Robinson@waterboards.ca.gov. Various

- 3M. (2022). Performance Data Sheet Model: 3MRO401. Accessed January 24, 2022.
- Agilent Technologies, Inc. (2023). Signal, Noise, and Detection Limits in Mass Spectrometry.
- A.O. Smith. (2022). A.O. Smith Pro Residential Water Filtration Reverse Osmosis AOW-4000. Accessed January 24, 2022.
- APS Water. (2022). Anion Resin – Purolite Brand: Weak Base – 1 cubic foot. Accessed September 27, 2022.
- Aqua Metrology Systems. (2021). City of Los Banos, California. Safeguard H2O Pilot Report.
- Aqua Metrology Systems. (2022). Quotes for Safeguard H2O RCF Treatment Technology.



-
- Practice No. 10K 07.7/RCF International.
- Blute, N.; Wu, X.; Imamura, G.; Song, Y.; Porter, K.; Cron, C.; Fong, L.; Froelich, D.; Abueg, R.; Henrie, T.; Ramesh, S.; Vallejo, F. (2015a). Assessment of Ion Exchange, Adsorptive Media, and RCF for Cr(VI) Removal. Water Research Foundation: Web Report #4423.
 - Blute, N.; Wu, X.; Cron, C.; Fong, L.; Froelich, D.; Abueg, R. (2015b). Microfiltration in the RCF Process for Hexavalent Chromium Removal from Drinking Water. Water Research Foundation: Web Report #4365.
 - Board of Governors of the Federal Reserve System. (2023a) Bank Prime Loan Rate [DPRIME] from FRED, Federal Reserve Bank of St. Louis.
 - Board of Governors of the Federal Reserve System. (2023b). Federal Funds Effective Rate [FEDFUNDS] from FRED, Federal Reserve Bank of St. Louis.
 - Brondell. (2017). Owner's Manual Circle Reverse Osmosis Water Filtration System Model # RC100. Accessed on January 24, 2022.
 - Brandhuber, P.; Frey, M.; McGuire, M.; Chao, P.F.; Seidel, C.; Amy, G.; Yoon, J.; McNeill, L.; Banerjee, K. (2004). Low-Level Hexavalent Chromium Treatment Options: Bench-Scale Evaluation. Water Research Foundation: Web Report #2814.
 - California Department of Human Resources. (2022). Pay Scales / Classification Salary for Water Resource Control Engineers.
 - California Department of Tax and Fee Administration (CDTFA). (2022). California City & County Sales & Use Tax Rates.
 - California Manufacturers and Technology Association & Solano County Taxpayers Association v. State Water Resources Control Board. (2017). Super. Ct., Sacramento County, Case No. 34-2015-80001850.
 - California Manufacturers and Technology Association v. State Water Resources Control Board. (2021). 64 Cal.App.5th 266, 278 Cal. Rptr. 3d 668.
 - Crystal Quest. (2022). Anion Exchange Resin (per cubic foot). Accessed September 27, 2022.
 - Engineering News Record (ENR). (2014). Construction Economics 11-24-2014 issue. Engineering News Record.
 - Engineering News Record (ENR). (2016). Construction Economics: ENR's 20-city average cost indexes, wages, and material prices for March 2016. Engineering News Record.
 - Engineering News Record (ENR). (2017). Construction Economics: ENR's 20-city average cost indexes, wages, and material prices for December 2017. Engineering News Record.
 - Engineering News Record (ENR). (2021). Construction Economics: ENR's 20-city average cost indexes, wages, and material prices for September 2021.



-
- Record.
- Exec. Order No. B-10-11. (September 19, 2011).
 - Exec. Order No. N-15-19. (June 18, 2019).
 - Federal Reserve Bank of Kansas City. (2022). Small Business C&I Lending Declines Year-Over-Year.
 - FedEx. (2023). FedEx Retail Rates for Overnight Shipping.
 - GE Appliances. (2019). Performance Data for the Drinking Water Systems GXRQ18NBN and GNRQ18NBN. Accessed January 24, 2022.
 - Ghabour, Miriam (2020). "Re: Cr6 Survey for DLR - Draft" Received by Eric Miguelino. December 2020.
 - Ghabour, Miriam (2021). "Re: Cr6 – S/N ratios." Received by Eric Miguelino. August 2021.
 - Gumerman, R.C.; Culp, R.L.; Hansen, S.P. (1979). Estimating Water Treatment Costs: Volume 1 Summary. EPA-600/2-79-162a.
 - Hausladen, D. M.; Alexander-Ozinskas, A.; McClain, C.; Fendorf, S. (2018). Hexavalent Chromium Sources and Distribution in California Groundwater. *Environmental Science & Technology*, 52(15), 8242–8251.
 - Hazen and Sawyer (2013). Hexavalent Chromium Removal Research Project to the California Department of Public Health. City of Glendale Water & Power.
 - Kahn, H.D.; Stralka, K. (2009). Estimated daily average per capita water ingestion by child and adult age categories based on USDA's 1994–1996 and 1998 continuing survey of food intakes by individuals. *Journal of Exposure Science & Environmental Epidemiology*, 19(4), 396–404.
 - Kohler. (2019). KOHLER Aquifer RO K-22155 Performance Data Sheet. Accessed January 24, 2022.
 - McNeill, L.S.; McLean, J.E.; Parks, J.L.; Edwards, M.A. (2012). Hexavalent chromium review, part 2: Chemistry, occurrence, and treatment. *Journal - American Water Works Association*, 104: E395-E405.
 - Mohamed, A.M.O.; Maraqa, M.; Al Handhaly, J. (2005). Impact of land disposal of reject brine from desalination plants on soil and groundwater. Presented at the Conference on Desalination and the Environment, Santa Margherita, Italy, 22-26 May 2005. European Desalination Society.
 - Najm, I.; Brown, N.P.; Seo, E.; Gallagher, B.; Gramith, K.; Blute, N.; Wu, X.; Yoo, M.; Liang, S.; Maceiko, S.; Kader, S.; Lowry, J. (2014). Impact of Water Quality on Hexavalent Chromium Removal Efficiency and Cost. Web Report #4450.
 - Najm, I.; Romero-Maraccini, O.; Maraccini, P. A.; Askenaizer, D.; Gallagher, B. (2017). Cost-Effective Cr(VI) Residuals Management Strategies. Web Report #4556.



Environment, California Environmental Protection Agency, Office of Environmental Health Hazard Assessment, July 2011.

- Parks, J. L.; Mantha, A.; Edwards, M.; Kommineni, S.; Shim, Y.; Porter, K.; & Imamura, G. (2017). Bench-Scale Evaluation of Alternative Cr(VI) Removal Options for Small Systems (Project #4561). Water Research Foundation.
- Pierri, Agustin (2021). "Re: Cr6 MRLs." Received by Eric Miguelino.
- Puronics Water Systems, Inc. (2019). Performance Data Sheet Model: Micromax 6500 TFC. Accessed January 27, 2023.
- Rad, S.A.M.; Mirbagheri, S.A.; Mohammadi, T. (2009). Using Reverse Osmosis Membrane for Chromium Removal from Aqueous Solution. World Academy of Science: Engineering and Technology 57.
- Seidel, C.J.; Najm, I.N.; Blute, N.K.; Corwin, C.J.; Wu, X. (2013). National and California treatment costs to comply with potential hexavalent chromium MCLs. Journal-AWWA, 105.
- Seidel, C.; Gorman, C.; Ghosh, A.; Dufour, T.; Mead, C.; Henderson, J.; Li, X.; Darby, J.; Green, P.; McNeill, L.; Clifford, D. (2014). Hexavalent Chromium Treatment with Strong Base Anion Exchange. Water Research Foundation: Web Report #4488.
- Servapure. (2022). ResinTech WBMP, Weak Base Anion Exchange Resin, 1 cubic foot. Accessed September 27, 2022.
- SWRCB. (2017). SBDDW-17-003 Point-of-Use and Point-of Entry Treatment—Permanent Regulations Attachment B Cost Estimating Methodology. State Water Resources Control Board.
- SWRCB. (2019). State Water Resources Control Board Tribal Consultation Policy.
- SWRCB. (2021a). 2021 Drinking Water Affordability Assessment, State Water Resources Control Board.
- SWRCB. (2021b). Safe Drinking Water Information System (SDWIS) database. State Water Resources Control Board. Accessed June 21, 2021 (note that this is a database that cannot be transmitted electronically; a printout of the data used can be provided).
- SWRCB. (2021c). Water Quality Information Replacement (WQIR) database. State Water Resources Control Board. Accessed July 27, 2021 (note that this is a database that cannot be transmitted electronically; a printout of the data used can be provided).
- SWRCB. (2021d). Residential Water Treatment Devices. State Water Resources Control Board. Accessed June 2021.
- SWRCB. (2021e). Peer Review Request, Peer Review, and Peer Review Responses for Best Available Technologies (BAT) for Hexavalent Chromium Treatment.



Maximum Contaminant Level (MCL) Project.

- SWRCB. (2021g). Failing Water Systems: The Human Right to Water (HR2W) List Criteria.
- SWRCB. (2022a). 2022 Drinking Water Needs Assessment: Affordability Assessment. Attachment D1: 2022 Affordability Assessment Data and Results.
- SWRCB. (2022b). State of California Drinking Water State Revolving Fund Intended Use Plan: State Fiscal Year 2022-23.
- SWRCB. (2022c). Notice of Public Workshop and Opportunity for Public Comment on Administrative Draft Hexavalent Chromium Maximum Contaminant Level.
- SWRCB. (2022d). Hexavalent Chromium Workshop Public Comments.
- SWRCB. (2023). California Drinking Water State Revolving Fund Interest Rate History.
- Water Channels Partner. (2021). Model ECOP30 Installation and Operation Manual. Accessed January 24, 2022.
- U.S. Bureau of Economic Analysis. (2022). Gross Domestic Product by State. U.S. Department of Commerce.
- U.S. Bureau of Labor Statistics. (2020a). Occupational Employment and Wages, May 2020: 51-8031 Water and Wastewater Treatment Plant and System Operators.
- U.S. Bureau of Labor Statistics. (2020b). Occupational Employment and Wages, May 2020, 47-2111 Electricians.
- U.S. Bureau of Labor Statistics. (2020c). Occupational Employment and Wages, May 2020, 47-2515 Plumbers, Pipefitters, and Steamfitters.
- U.S. Bureau of Labor Statistics. (2021a). CPI for All Urban Consumers (CPI-U). U.S. Bureau of Labor Statistics.
- U.S. Bureau of Labor Statistics. (2021b). Employment Cost Index March 2021: Total compensation for private industry, public utilities [CIU2014400000000]. U.S. Bureau of Labor Statistics.
- U.S. Bureau of Labor Statistics. (2021c). Occupational Employment and Wages, May 2021, 17-2051 Civil Engineers.
- U.S. Bureau of Labor Statistics. (2022a). Producer Price Index by Commodity: Chemical and Allied Products: Rock Salt [WPU06130271]. Retrieved from FRED, Federal Reserve Bank of St. Louis.
- U.S. Bureau of Labor Statistics. (2022b). Producer Price Index by Commodity: Chemical and Allied Products: Water-Treating Compounds [WPU06790961]. Retrieved from FRED, Federal Reserve Bank of St. Louis.
- U.S. Bureau of Labor Statistics. (2022c). Producer Price Index by Commodity: Sand and Gravel Mining for West Region [PCU21232121232104]. Retrieved from FRED, Federal Reserve Bank of St. Louis.



-
- U.S. Census Bureau. (2022). Quick Facts California. United States Census Bureau.
 - U.S. Energy Information Administration. (2022). Table 5.6A. Average Price of Electricity to Ultimate Customers by end-Use Sector. Accessed July 1, 2022.
 - U.S. EPA. (1989). National Primary and Secondary Drinking Water Regulations, 54 Fed. Reg. 22062 (May 22, 1989).
 - U.S. EPA. (1991). National Primary Drinking Water Regulations—Synthetic Organic Chemicals and Inorganic Chemicals; Monitoring for Unregulated Contaminants; National Primary Drinking Water Regulations Implementation; National Secondary Drinking Water Regulations," 56 Fed. Reg. 3526 (January 30, 1991).
 - U.S. EPA. (1994). Method 218.6: Determination of Dissolved Hexavalent Chromium in Drinking Water, Groundwater, and Industrial Wastewater Effluents by Ion Chromatography, Rev. 3.3.
 - U.S. EPA. (2007). Cost Evaluation of Point-of-Use and Point-of-Entry Treatment Units for Small Systems: Cost Estimating Tool and User Guide (EPA 815-B-07-001). United States Environmental Protection Agency, Office of Ground Water and Drinking Water.
 - U.S. EPA. (2011). Method 218.7: Determination of Hexavalent Chromium in Drinking Water by Ion chromatography with Post-Column Derivatization and UV-Visible Spectroscopic Detection.
 - U.S. EPA. (2013). EPA's recommendations for enhanced monitoring for Hexavalent Chromium (Chromium-6) in Drinking Water.
 - U.S. EPA. (2017). Cost Estimation: Concepts and Methodology. United States Environmental Protection Agency, Office of Air Quality Planning and Standards.
 - U.S. EPA. (2021a). Chromium in Drinking Water. United States Environmental Protection Agency, Office of Ground Water and Drinking Water.
 - U.S. EPA. (2021b). Work Breakdown Structure-Based Cost Model for Anion Exchange Drinking Water Treatment. United States Environmental Protection Agency, Office of Ground Water and Drinking Water.
 - U.S. Small Business Administration. (2019). "How Much Does an Employee Cost You?"

(Page last updated 03/13/2024)

Paeter Garcia

From: Family Farm Alliance Communications <media@familyfarmalliance.org>
Sent: Friday, March 1, 2024 2:03 PM
To: Paeter Garcia
Subject: Tributes Pour in for the Late Pat O'Toole, Long-Time Alliance President

[View this email in your browser](#)



Tributes Pour in for the Late Pat O'Toole, Long-Time Alliance President

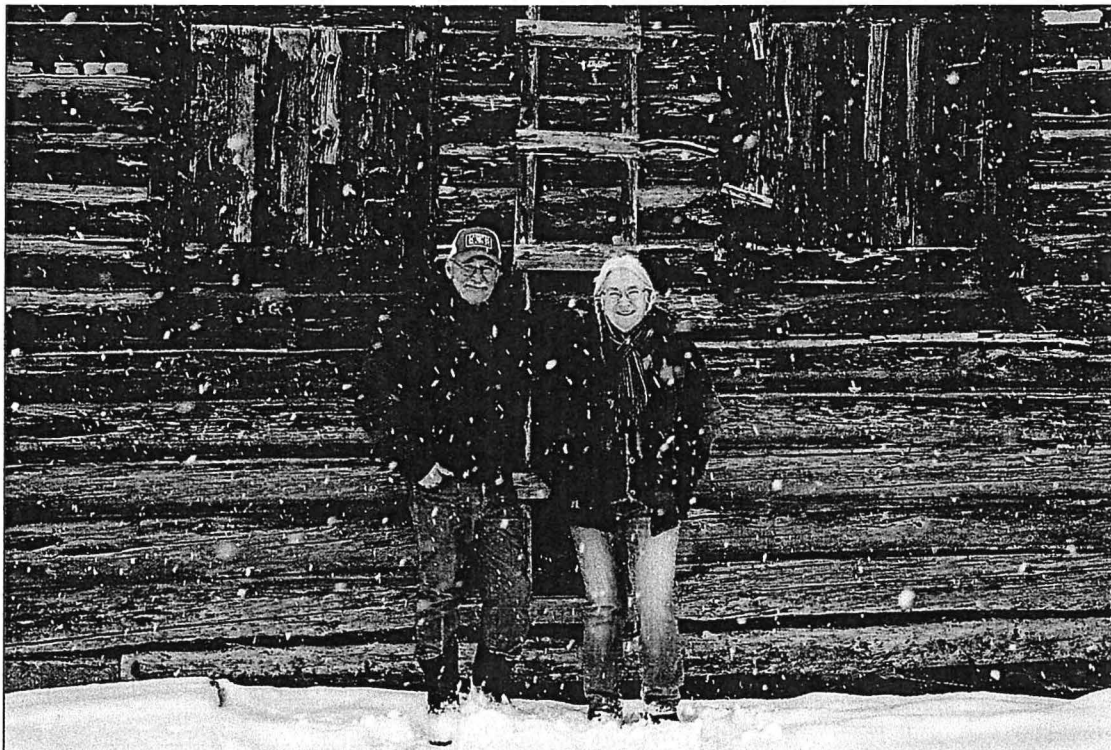


Photo Credit: David Hanson, Farmers Conservation Alliance

Friends, followers and associates in the vast personal and professional network of the late Patrick O'Toole have flooded the office of the Family Farm Alliance with their condolences, memories, love and respect for the long-time Alliance President.

Mr. O'Toole passed away February 25 at a hospice in Grand Junction, surrounded by his family. Mr. O'Toole suffered a stroke on February 13 at his family's Ladder Ranch, in the Little Snake River Valley on the Wyoming/Colorado border. The ranch has been in his wife Sharon's family since 1881.

[CLICK HERE](#) for Pat O'Toole's obituary.

"The response this week from those who knew Pat has been extraordinary and overwhelming," said Alliance Executive Director Dan Keppen (OREGON). "Our team here at the Family Farm Alliance wanted to share with our members and those we work with a sampling of the wonderful things that people around the country have said about Pat's legacy."

Senator Michael Bennet (D-COLORADO) used over three minutes of his opening remarks earlier this week paying tribute to Pat O'Toole at a hearing before the Senate Agriculture Committee. Check out this [video](#) featuring an exchange about Pat between Senator Bennet, USDA Secretary Tom Vilsack, and Chair Debbie Stabenow (D-MI).

"It's a great video," said Norm Semanko (IDAHO), the Alliance's General Counsel. "It's hard to explain how outside of normal Congressional protocol that is. Pat was one of a kind."

Other Members of Congress will deliver floor statements next week paying tribute to Mr. O'Toole.

Rod Miller, a columnist for *Cowboy State Daily* (WYOMING) writes, "My old friend Pat O'Toole has ridden on up ahead of the herd to scout a new countryside for water and grass. You can bet your bottom dollar that, when we catch up with him, he will have picked out the perfect spot to rest."

Mr. Miller and *Cowboy State Daily* graciously gave us permission to

share "[Remembering Pat O'Toole, Wyoming Visionary](#)". *Cowboy State Daily* also ran this guest column by Cat Urbigkit, titled, "[Finding Beauty in Wyoming's Capitol](#)", which closes with a tribute to Mr. O'Toole.

Finally, Jason Peltier, the first chairman of the Family Farm Alliance's Advisory Committee, wrote [this beautiful eulogy](#) for Sharon and the O'Toole family, who asked that it be shared widely.

"In our world of water, like in the whole of life, it is about our fellow man," Mr. Peltier writes. "Our colleagues, the people we strive to help, in the simplest way, our family. As Pat understood the range he understood people."

Additional coverage of Pat O'Toole's remarkable life will be featured in the March 2024 edition of the Family Farm Alliance "Monthly Briefing". His family is planning a July 2024 memorial service at Ladder Ranch.

JOIN US



Copyright © 2024 Family Farm Alliance, All rights reserved.

You are receiving this email because you opted in via our website.

Our mailing address is:

Family Farm Alliance
P.O. Box 1705
Clearlake Oaks, CA 95423

[Add us to your address book](#)

Want to change how you receive these emails?

You can [update your preferences](#) or [unsubscribe from this list](#).

Paeter Garcia

From: Family Farm Alliance Communications <media@familyfarmalliance.org>
Sent: Monday, February 26, 2024 12:38 PM
To: Paeter Garcia
Subject: Family Farm Alliance Mourns Loss of Long-Time President Pat O'Toole

[View this email in your browser](#)



**Family Farm Alliance Mourns Loss of
Long-Time President Pat O'Toole**



Pat O'Toole and his wife, Sharon visit with Don Schwindt near the Schwindt's Colorado farm, autumn 2023.

GRAND JUNCTION, COLORADO, Feb. 26, 2024 – Patrick O'Toole, the long-serving president of the Family Farm Alliance who was seen by many as the voice of Western irrigated agriculture, has died at 75.

“Pat was a proud Irish warrior with a big heart and a good head,” said Alliance Vice-President Don Schwindt (COLORADO). “I already miss his phone calls and I will never forget him. He will be an integral part of my life until I join him in my final journey.”

Mr. O'Toole passed away Sunday afternoon at a hospice in Grand Junction, surrounded by his family. Mr. O'Toole suffered a stroke on February 13 at his family's Ladder Ranch, in the Little Snake River Valley on the Wyoming/Colorado border. The ranch has been in his wife Sharon's family since 1881.

Pat and Sharon met while students at Colorado State University, where Pat graduated with a philosophy degree. They eventually took over management of the ranch and liked to tell people they raise “cattle, sheep, horses, dogs and children.”

Mr. O’Toole leaves three children and six grandchildren.

Pat O’Toole may be best remembered for his passion for conservation and love of the land, especially in the Little Snake River Valley. The O’Toole family and Ladder Ranch were the recipients of the distinguished 2014 Wyoming Leopold Environmental Stewardship Award.

Mr. O’Toole’s interest in water intersected with the Family Farm Alliance while he was serving on the Clinton administration’s Western Water Policy Review Advisory Commission. Mr. O’Toole was the only commissioner representing Western irrigated agriculture and, in the end, refused to sign the report, opting instead to prepare a dissenting alternative report.

A former member of Wyoming’s House of Representatives, he was a member of the Alliance’s Board of Directors since 1998 and was named as the organization’s fifth President in March 2005.

“Pat became Alliance president, and I was hired on at the same time – on my 40th birthday, 19 years ago,” said Alliance Executive Director Dan Keppen (OREGON). “Since that time, there was rarely a day when I wasn’t on the phone with him. We fought some tough battles together, and we helped forge solutions together. He was one of the great mentors and great friends of my life.”

In his time as President, the Alliance was asked to testify before Congressional committees 98 times. Mr. O’Toole represented the Alliance at Capitol Hill hearings over 20 times.

“Pat was an articulate speaker,” said Mr. Schwindt. “His words will leave a lasting legacy.”

He was known for his unique ability to work in a holistic and broad-based manner across philosophical and party lines.

“Pat was a deep thinker. He tried to absorb diverse perspectives as he settled on how to advocate for agricultural interests,” said Mr. Schwindt.

First Vice-President Schwindt and Alliance Second Vice-President Paul Orme (ARIZONA) will lead a committee set up by the board of directors to select the next Alliance president. In the meantime, Mr. Schwindt will oversee Alliance business and lead board meetings.

Mr. O’Toole’s passing occurred just days after the Family Farm Alliance annual conference wrapped up in Reno (NEVADA). While the conference set another attendance record, the mood in Reno was somber and his absence was keenly felt and noted by many of those who spoke at the event.

“We will carry on together with thoughtfulness, respect and love in his memory and absence as Pat continues on his journey,” said Alliance Advisory Committee Chairman Urban Eberhart (WASHINGTON). “He will always be with us.”

In his 19 years as Alliance president, Mr. O’Toole spoke extensively to water user groups and agencies and was known for the bi-partisan approach he employed on behalf of the Alliance on water use and irrigation issues.

“Pat was involved in many organizations and valued his association with the Family Farm Alliance the most,” said his wife, Sharon. “He truly valued his close relationships with members and was so proud that everyone in the organization are people who get things done.”

Additional coverage of Pat O’Toole’s remarkable life will be featured in the March 2024 edition of the Family Farm Alliance “Monthly Briefing”. His family is planning a July 2024 memorial service at Ladder Ranch.





Protecting Water for Western Irrigated Agriculture

March 2024
Conference Edition
Issue No. 260 17 Pages

Monthly Briefing

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

Alliance Mourns Loss of Long-Time President, Pat O'Toole

Patrick O'Toole, the long-serving president of the Family Farm Alliance who was seen by many as the voice of Western irrigated agriculture, died last month at the age of 75.

"Pat was a proud Irish warrior with a big heart and a good head," said Alliance Vice-President Don Schwindt (COLORADO). "I already miss his phone calls and I will never forget him. He will be an integral part of my life until I join him in my final journey."

Mr. O'Toole passed away February 25 at a hospice in Grand Junction, surrounded by his family. Mr. O'Toole suffered a stroke on February 13 at his family's Ladder Ranch, in the Little Snake River Valley on the Wyoming/Colorado border. The ranch has been in his wife Sharon's family since 1881.

Pat and Sharon met while students at Colorado State University, where Pat graduated with a philosophy degree. They eventually took over management of the ranch and liked to tell people they raise "cattle, sheep, horses, dogs and children."

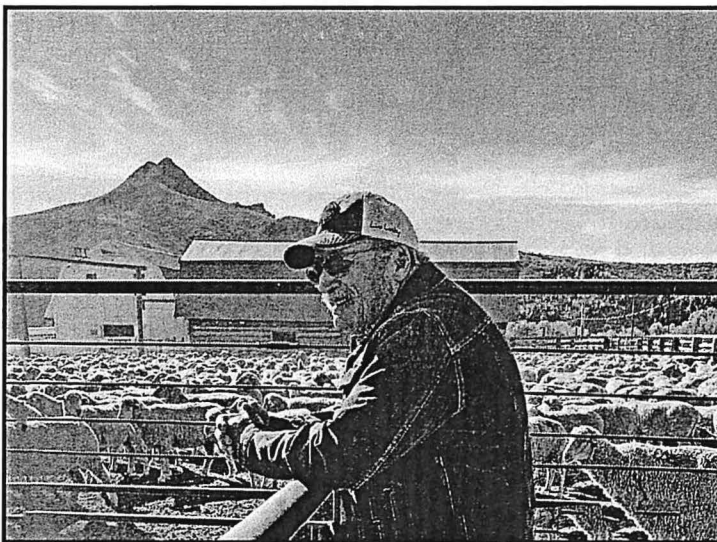
Mr. O'Toole leaves behind three children and six grandchildren.

Pat O'Toole may be best remembered for his passion for conservation and love of the land, especially in the Little Snake River Valley. The O'Toole family and Ladder Ranch were the recipients of the distinguished 2014 Wyoming Leopold Environmental Stewardship Award.

Mr. O'Toole's interest in water intersected with the Family Farm Alliance while he was serving on the Clinton administration's Western Water Policy Review Advisory Commission. Mr. O'Toole was the only commissioner representing Western irrigated agriculture and, in

the end, refused to sign the report, opting instead to prepare a dissenting alternative report.

A former member of Wyoming's House of Representatives, he was a member of the Alliance's Board of Directors since 1998 and was named as the organization's fifth President in March 2005.



Pat O'Toole, who served as Family Farm Alliance President for 19 years, died February 25. Photo courtesy of the O'Toole family.

Continued on Page 2

EDITOR'S NOTE

This special edition of the "Monthly Briefing" is dedicated to coverage of the 2024 Family Farm Alliance Annual Conference and Meeting, which was held February 22-23 in Reno, Nevada. One week before the conference, Alliance President Pat O'Toole suffered a stroke at Ladder Ranch, his family's sheep and cattle operation on the Wyoming-Colorado border. Mr. O'Toole's passing occurred just days after the Family Farm Alliance annual conference wrapped up in Reno (NEVADA).

While the conference set another attendance record, the mood in Reno was somber and his absence was keenly felt and noted by many of those who spoke at the event. Coverage of the conference begins on Page 3 of this Monthly Briefing, following the lead story that reports on Pat's passing. Our conference is always a great way to show off what the Alliance is all about. I would like to thank our board, Advisory Committee, Mark Limbaugh, Norm Semanko, Todd Ungerecht, Josh Rolph, and Jane Townsend – our conference planner and fundraising coordinator – for another successful conference. - DK -

Former Lawmaker, Rancher Remembered (Cont'd from Pg. 1)

“Pat became Alliance president, and I was hired on at the same time – on my 40th birthday, 19 years ago,” said Alliance Executive Director Dan Keppen (OREGON). “Since that time, there was rarely a day when I wasn’t on the phone with him. We fought some tough battles together, and we helped forge solutions together. He was one of the great mentors and great friends of my life.”

In his time as President, the Alliance was asked to testify before Congressional committees 98 times. Mr. O’Toole represented the Alliance at Capitol Hill hearings over 20 times.

“Pat was an articulate speaker,” said Mr. Schwindt. “His words will leave a lasting legacy.”

He was known for his unique ability to work in a holistic and broad-based manner across philosophical and party lines.

“Pat was a deep thinker. He tried to absorb diverse perspectives as he settled on how to advocate for agricultural interests,” said Mr. Schwindt.

First Vice-President Schwindt and Alliance Second Vice-President Paul Orme (ARIZONA) will lead a committee set up by the board of directors to select the next Alliance president. In the meantime, Mr. Schwindt will oversee Alliance business and lead board meetings.

Mr. O’Toole’s passing occurred just days after the Family Farm Alliance annual conference wrapped up in Reno (NEVADA). While the conference set another attendance record, the mood in Reno was somber and his absence was keenly felt and noted by many of those who spoke at the event.

“We will carry on together with thoughtfulness, respect and love in his memory and absence as Pat continues on his journey,” said Alliance Advisory Committee Chairman Urban

Eberhart (WASHINGTON). “He will always be with us.”

In his 19 years as Alliance president, Mr. O’Toole spoke extensively to water user groups and agencies and was known for the bi-partisan approach he employed on behalf of the Alliance on water use and irrigation issues.

“Pat was involved in many organizations and valued his association with the Family Farm Alliance the most,” said his wife, Sharon. “He truly valued his close relationships with members and was so proud that everyone in the organization are people who get things done.”

His family is planning a July 2024 memorial service at Ladder Ranch.

Friends, followers and associates in Mr. O’Toole’s vast personal and professional network flooded the office of the Family Farm Alliance with their condolences, memories, love and respect for the long-time Alliance President.

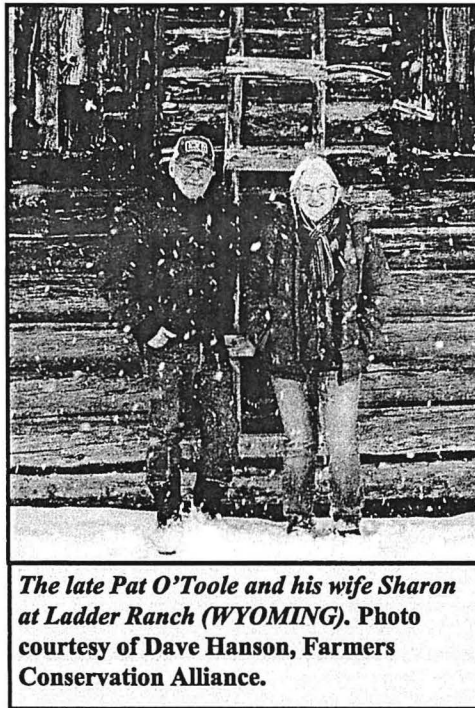
“The response from those who knew Pat has been extraordinary and overwhelming,” said Alliance Executive Director Dan Keppen (OREGON).

Senator Michael Bennet (D-COLO.) used over three minutes of his opening remarks paying tribute to Pat O’Toole at a late February hearing before the Senate Agriculture Committee.

“It’s hard to explain how outside of normal Congressional protocol that is,” said Norm Semanko (IDAHO), the Alliance’s General Counsel. “Pat was one of a kind.”

Other Members of Congress will deliver floor statements later this month paying tribute to Mr. O’Toole.

“In our world of water, like in the whole of life, it is about our fellow man,” said Jason Peltier, the original Chairman of the Alliance Advisory Committee. “Our colleagues, the people we strive to help, in the simplest way, our family. As Pat understood the range he understood people.”



The late Pat O’Toole and his wife Sharon at Ladder Ranch (WYOMING). Photo courtesy of Dave Hanson, Farmers Conservation Alliance.

SPECIAL CONFERENCE EDITION STORIES INSIDE.....

	<u>Page #</u>
2024 Annual Conference Sets Attendance Record....President Patrick O’Toole’s Absence “Keenly Felt”	3
Reclamation Leaders Drill Down on Infrastructure Spending, Shifting Hydrology	5
Anne Castle Moderates Colorado River Tribal Panel <i>Agriculture and Water: Past, Present and Future</i>	6
“We’re here to Help –Help Us Help You!” <i>Western Academics Reach out to Producers</i>	7
The View from Capitol Hill: Federal Farm & Water Legislation	8
The Fate of the Lower Snake River Dams	9
Where’s the Recourse? The Challenge of Dealing with ESA Administration	10
Navigating the Nexus—NRCS and DOE Funding on BOR Projects	11
Meet Don Wright of WaterRights.net	12
“Muddy Reflection” - A Look Back at the 2023 Water Season	13
“A Big Thank You” to our New and Supporting Members!	16
2024 Alliance Award Winners	17

2024 Annual Conference Sets Attendance Record President Patrick O'Toole's Absence "Keenly Felt"

Despite a record-sized audience gathered in the Silver Legacy's Grand Exposition Hall for the 2024 Family Farm Alliance Annual Conference, the mood in Reno February 22-23 was somber, as the absence of long-time Alliance President Pat O'Toole was keenly felt and noted by many of those who spoke at the event.

Mr. O'Toole suffered a stroke on February 13 at his residence in Wyoming and passed away two days after the annual conference concluded (*see related story, Page 1*).

The 2024 annual conference theme was "Resilience in Every Drop: Safeguarding America's Food Security".

Alliance First Vice-President Don Schwindt led the audience in the Pledge of Allegiance to start the conference off on the morning of February 22, followed by an invocation delivered by Anna Keppen, daughter of Alliance Executive Director Dan Keppen.

"I am here representing the family, as the next generation of Family Farm Alliance," said Ms. Keppen. "My hope for this annual conference is that folks can come together peacefully for solution, conflict resolution and to create a bigger and brighter future for generations to come."

Vice-President Schwindt in his opening remarks lamented the absence of Pat O'Toole, but also outlined the Alliance's organizational and leadership priorities for the coming year.

"Although he's not here in person, Pat's impact and energy are woven through this entire conference," said Mr. Schwindt. "He and his family will be in our hearts this week."

He noted that the success of the Alliance rests on the determination to work to build bipartisan/bicameral relationships that reach from the local perspective up through regional and state levels to DC.

"The Alliance has always operated without significant institutional processes, in a guerilla-like manner that allows valuable flexibility," said Mr. Schwindt. "With the sudden, sad news of Pat O'Toole's hospitalization last week, we now have new circumstances to respond to. This increases the responsibility of the board to develop a process that will effectively respond to our current transition situation."

Executive Director Keppen summarized the internal board and Advisory Committee meetings that took place earlier in the week in Reno and said a board retreat would be held in

July in Colorado, where the board expects to come out with clear direction on board and staff leadership matters.

He also reported that the board made some important changes regarding next year's annual conference.

"We'll continue to host our conference here at the Silver Legacy, whose management has been tremendous to work with," he told the audience. "However, next year's meeting, for the first time in 30 years, will not take place in late February or early March. Next year, we'll wait until after harvest, and host the conference on October 30-31, 2025."

Mr. Keppen said that the decision to move the conference date was done in part to address concerns made by some Alliance members about the rough winter weather that can, at times, descend upon Reno and impact travel to and from the "biggest little city in the world".

Mr. Keppen's opening comments were followed by video presentation made by Washington Congressman Dan Newhouse, the Chair of the Western Caucus, who welcomed the audience and summarized legislation he's introduced to prevent any agent or company of the Chinese Communist Party from purchasing U.S. farmland and to ease the burden of estate taxes. Like many other conference speakers, Rep. Newhouse acknowledged the absence of Pat O'Toole.

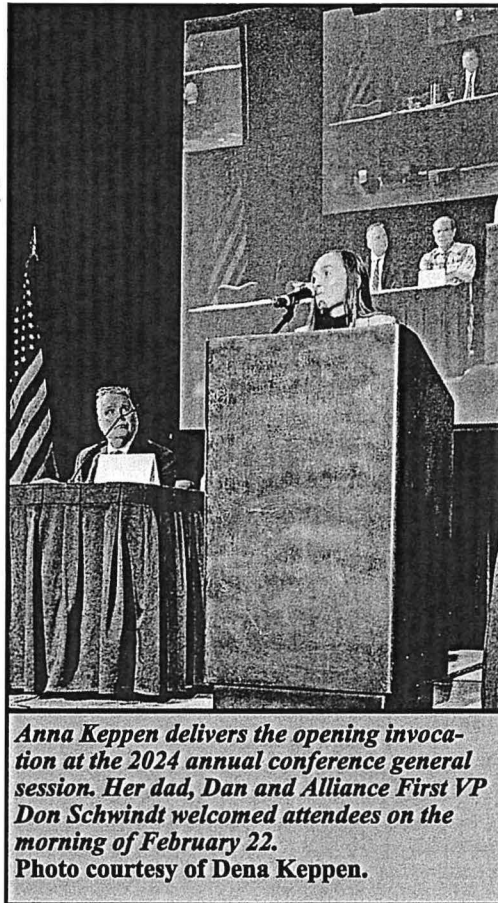
"While he was not with us today, I am praying for his swift recovery, and wishing him and his family the very best during this difficult time," Rep. Newhouse said.

Keynote Speakers

The Thursday morning's keynote speech was delivered remotely by Bureau of Reclamation Commissioner Camille Touton. She was in Washington, D.C. celebrating her daughter's second birthday.

Commissioner Touton listed recent Reclamation achievements in California's Central Valley including restoration of the Friant Kern Canal, advancing the Sites Reservoir project and the BF Sisk Dam raise. Commissioner Touton has been intimately involved with Colorado River short-term and post-2026 operating negotiations, which has major implications for Alliance members up and down the river.

"When you eat a salad during the winter months, remember



Anna Keppen delivers the opening invocation at the 2024 annual conference general session. Her dad, Dan and Alliance First VP Don Schwindt welcomed attendees on the morning of February 22. Photo courtesy of Dena Keppen.

Continued on Page 4

Annual Conference Keynote Speakers (*Cont'd from Pg 3*)

that those greens likely came from the Imperial and Coachella Valleys," she said.

She vowed to continue working with Colorado River contractors for a solution. Commissioner Touton, who hails from Nevada, put a plug in for the closing session of this year's conference, a screening of the "*Green Desert*" a documentary directed and produced by Leo Zahn that shows how agriculture can blossom in the formidable environs of the Mojave Desert.

The Thursday luncheon keynote speaker was Brian Johnson (Chair of the Klamath River Renewal Corporation, or KRRC), who discussed the deconstruction activities involved with removing four PacifiCorp dams on the Klamath River—JC Boyle, Copco No. 1 & No. 2, and Iron Gate. KRRC's job now is to remove these dams, restore formerly inundated lands, and implement required mitigation measures in compliance with federal, state, and local regulations.

"These dams provide no irrigation for agriculture, are not operated for flood control, and generate very little power," Mr. Johnson said. "But they do play a huge role in the decline of Pacific salmon. This project aims to fix that."

Earlier in the year, KRRC initiated the drawdown process by opening the outlet tunnel in the Iron Gate Dam. Drawdown of two other reservoirs followed; all reservoirs were drained by the end of February.

The Friday morning "Sunrise Keynote Speaker" was Jessica Fox, the Principal Technical Executive at the Electric Power Research Institute (EPRI). She is the first female in EPRI's 50-year history to reach this highest technical position. She also won the prestigious U.S. Water Prize in 2015 for her work in creating the world's first interstate trading program for nutrients in the Ohio River Basin.

Her address touched on a variety of cutting edge topics, including challenges in the solar voltaic industry, the 30 x 30 plan adopted by the United Nations (where 30 percent of the world's land and water would be conserved by the year 2023), and EPRI's "power-in-pollinators" initiative, the largest effort in North America focused on pollinator conservation efforts working with electric power companies.

"People around the world are becoming aware of the importance of pollinators in their daily lives," she said. "From the food we eat to the art we enjoy, bees, butterflies, and birds are integrated into our lives in more ways that we realize."

Monarch butterflies have been proposed by the U.S. Fish and Wildlife Service for protection under the Endangered Species Act, which puts most of the western half of North America in the monarch's critical habitat category.

The declines in pollinator populations are causing global concern. She discussed the opportunities for electric power companies to work together on joint efforts that result in greater benefit than can be accomplished alone.

For example, Sacramento Municipal Utilities District's Rancho Seco Restorative Project is on a decommissioned nuclear power plant site with five agencies that all have to

coordinate hand-planting of seeds and installation of solar panels. While the project has run into several challenges, Ms. Fox was optimistic that projects like these could point to more balance achieved in the power policy arena.

The closing keynote speaker on Friday was Michael Brain, Deputy Assistant Secretary Water and Science, Department of Interior. In his position, he oversees the Bureau of Reclamation and the U.S. Geological Survey.

Mr. Brain thanked everyone for the opportunity to address the conference, and on behalf of himself and Secretary of the Interior Holland, wished the best for Pat O'Toole and his family.

In his remarks, he highlighted recent progress made on the BF Sisk Dam raise, the North of Delta off stream storage at Sites Reservoir and the Los Vaqueros Dam raise as federal accomplishments.

"Through President Biden's Investing in America agenda, these projects will build water supply security for farmers and families in the region," said Principal Deputy Assistant Secretary for Water and Science Michael Brain. "As California and the West deal with historic drought conditions, the Biden-Harris administration is working in close coordination with local communities, states and Tribes to build climate resilience and long-term water supply reliability for future generations."

Other Meetings and Board Succession

The two-day conference general session was preceded by one full day of internal meetings with the Alliance board of directors and Advisory Committee, where the board took care of some more routine business items first, and then spent much of the morning addressing some organizational challenges, including succession issues with the board and staff, and the timing and location of the 2025 annual conference.

A new second-vice president was appointed by the board—Paul Orme (ARIZONA) - whose role in the near-term will be to guide the efforts of a committee tasked with teeing up actions that would lead to the appointment of a new president by the end of a July 2024 board retreat to be conducted in Denver (COLORADO).

First Vice-President Don Schwindt is willing to continue to chair the Alliance board meetings and preside at member meetings until that time.

"I consider it an honor to continue to try and help the Alliance meet its mission statement. I trust this board to meet the challenges we are facing," said Mr. Schwindt. "We need to be cautious, thoughtful, honest and innovative. We are built for that."

The Wednesday afternoon meeting with the Advisory Committee built upon the board's work, and also included contractor briefings and reports from individual states.

Tony Willardson (Western States Water Council Executive Director) also briefed the group on water data and marketing opportunities.

BOR Leaders Drill Down On Infrastructure Spending, Shifting Hydrology

Bureau of Reclamation Commissioner Camille Touton kicked off this year’s edition of a time-honored Family Farm Alliance conference tradition with live comments shared remotely. The ensuing Reclamation Roundtable featured interactive discussion between senior advisors from the Commissioner’s office and representatives from all five Reclamation regional offices.

The 75-minute discussion was moderated by Alliance Executive Director Dan Keppen, who noted that Reclamation in the past three years has received over \$12.3 billion in new infrastructure funding through the Infrastructure Investment and Jobs Act (IIJA) of 2021 and the Inflation Reduction Act (IRA) of 2022, two laws that the Alliance helped advocate for in the 117th Congress.

Matt Maucieri (Senior Advisor for Operations) sat in for Deputy Commissioner David Palumbo who was called the day before to Glen Canyon Dam. Mr. Maucieri introduced the panel which started with John Watts, who earlier this year started at Reclamation as Senior Advisor to the Commissioner, after spending much of his career as a senior resources advisor to the late Senator Diane Feinstein. Other panelists from the five Reclamation regions included David Arend (Lower Colorado Deputy Regional Director), Jennifer Carrington (Columbia Basin-Pacific Northwest Regional Director), Brent Esplin (Missouri Basin – Arkansas – Rio Grande – Texas – Gulf Regional Director), Adam Nickels (California-Great Basin Principal Deputy Regional Director), and Wayne Pullan (Upper Colorado Regional Director).

Mr. Maucieri kicked off the infrastructure discussion and said the influx of new cash should allow thousands of projects to proceed through programs that were already authorized but not funded at the historic levels provided for by the IRA and IIJA. WaterSmart programs, in particular, are getting attention from Reclamation through increased coordination with groups like the Alliance and other end users.

Jennifer Carrington noted that water users from Idaho and the Alliance have been instrumental in working with the Commissioner’s office and other Reclamation leaders to find ways to make the funding and application process for WaterSMART operate more efficiently. She reiterated a point made in a January 3, 2024 letter from David Palumbo to Dan Keppen, which was included in the conference handouts.

“Reclamation’s financial assistance workload has nearly tripled in the last three years,” the letter stated. “As such, Reclamation is encountering the staffing resources challenges that have confronted many other agencies and whole industries.”

She gave her commitment to improve the process and said the Alliance can help by reminding its member applicants meet deadlines and fill out the applications correctly, as noted in the January 2024 letter.

“While these programs are extremely effective, they have their limits and must comply with the different statutory, budget and workforce realities that underly implementation of many other federal programs.”

David Arend said agreements in Arizona and California funded with IRA dollars have helped save millions of acre feet at reasonable costs. This – along with improved Colorado River hydrology last year – has led to higher reservoir levels in Lake Mead. However, the water conservation efforts have also resulted in impacts to power generation.

“Releasing less water down the Colorado River has resulted in less power generation and higher costs,” he said, adding that most of the power use occurs in the agriculture sector, which is feeling the brunt of this. He noted that Reclamation is trying to shift its wind and solar interactions in a way that will help.

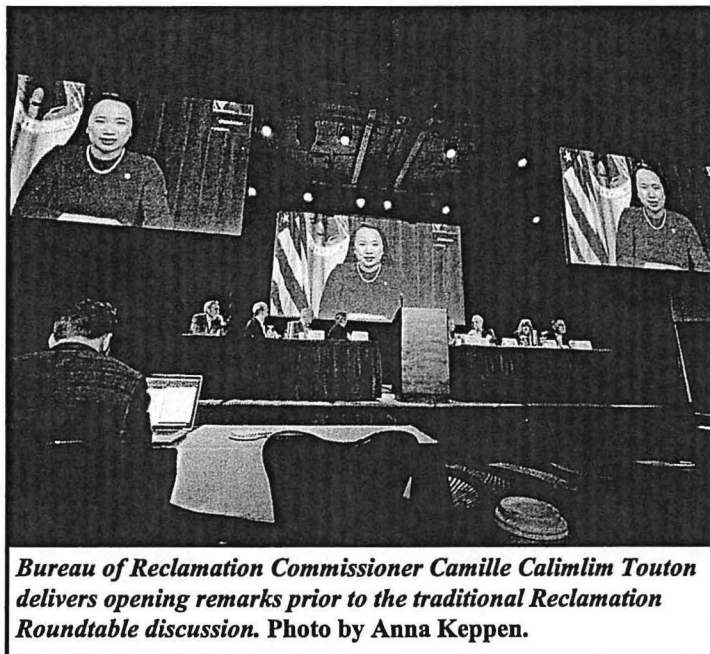
Adam Nickels and John Watts discussed the recent progress made on Sites Reservoir, an off-stream surface storage project located on the West side of the Sacramento Valley in California. Mr. Nickels said he found a document that shows the Sites plan dates back to the 1940’s. When complete, it will add

1.5 million acre-feet of storage to the California water mix. He also said the BF Sisk Dam raise on the San Luis Reservoir in California is the first of its kind in decades.

Mr. Watts said that when he worked for Senator Feinstein, the goal was to build more projects faster and cheaper, and she was a leader in helping to set up funding that was grant-based as opposed to being loan-driven, which translates to a 25 percent increase in funding without an increased cost to the government.

“Just telling folks to hurry up doesn’t help make projects go faster,” he said. “Moving federal projects from under Reclamation towards local control on things like feasibility studies removes the delays associated with Congressional approval processes.”

Each of the regional office representatives talked about current and projected hydrologic conditions.



Bureau of Reclamation Commissioner Camille Calimlim Touton delivers opening remarks prior to the traditional Reclamation Roundtable discussion. Photo by Anna Keppen.

Continued on Page 11

Anne Castle Moderates Colorado River Tribal Panel *Agriculture and Water: Past, Present and Future*

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, including Manuel Heart (Chairman, Ute Mountain Utes), Joshua Moore (Colorado River Indian Tribes Farm Manager) and Darryl Vigil (Co-Director, Water & Tribes Initiative and former Water Administrator for the Jicarilla Apache Nation). The topic at hand: farms and water.

“All three of these panelists are respected experts in Western water,” said Alliance Executive Director Dan Keppen. “The audience was highly appreciative of this discussion. It was probably one of the most acclaimed panels I’ve witnessed at one of our conferences.”

Ms. Castle said when the Colorado River Compact was negotiated 100 years ago, Colorado River Basin tribes were not involved. Even as recently as 2007, when Colorado River operating guidelines were revisited, the tribes were not involved. She said there is now a productive dialogue between the upper Colorado Basin and the tribes from that region.

Training the Next Generation of Ag Leaders

Joshua Moore oversees 32,000 acres of the 79,000 acres of farming in the southwest desert area for the Colorado River Indian Tribes. He grew up Hopi and his grandparents converted their mesquite covered land into productive agricultural land. In his current position, Mr. Moore grows “a little of everything”, from cotton to watermelons. He comes from an educational background in agriculture and works to involve and train the next generation of ag leaders in his community.

“We have enough water in our community to farm 100,000 acres, mostly in Arizona, but also in California,” he said.

Ute Mountain Utes: Managing Water, Power and Food Production

Chairman Manuel Heart opened up his remarks in his native Ute language, thanking everyone for being invited to the conference. He said his people were traditionally were nomadic, traveling through the mountains and valleys of the

Great Basin. They hunted and gathered. The U.S. Government took away most of the aboriginal land and imposed agriculture on the tribe.

Most of the Ute Mountain Ute reservation is in the far southwest of Colorado. There is also about 100,000 acres of Ute land in New Mexico which is not recognized by the State of New Mexico.

The McPhee Reservoir provides 24,000 AF of agricultural water to the Ute Mountain Utes. The tribe typically runs 3,000 head of cattle but recently those herd numbers dropped to 1,100 head.

“We have summer range in Gunnison, Colorado and winter range on the reservation,” he explained.

Chairman Heart said he is looking at more conservation programs and support for more irrigation, genetic and other upgrades to the food produced by the tribe.

“We are looking at new reservoir storage and increased solar capacity,” he said.

A market located on the reservation is also planned.

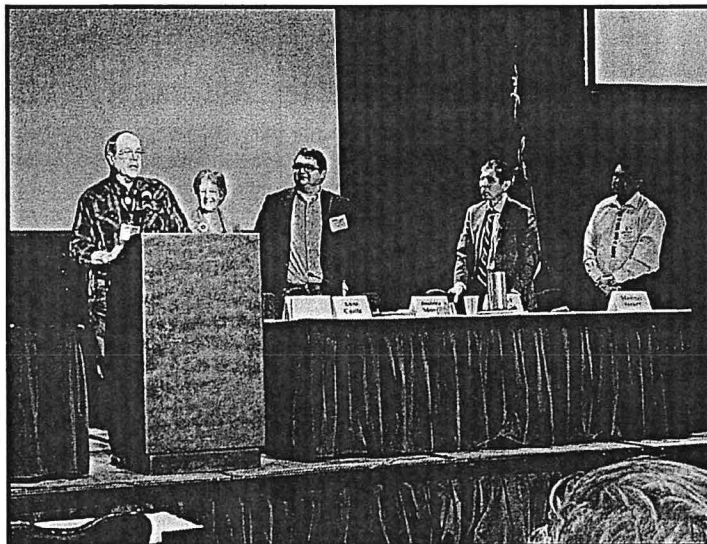
“COVID hit the tribe hard,” he said. “Having to venture outside the reservation for food also imported the virus and contributed to spread of the disease on the reservation.”

Many Native Americans in the Colorado River Basin lost their lives during the COVID-19 pandemic because clean and safe water was not available.

Understanding Native American Water Insecurity

Darryl Vigil greeted the audience and said he recognized many people at the conference. He thanked Pat O’Toole for his inspiration in proposing this panel and also thanked the Family Farm Alliance for their support of the Universal Access to Clean Water project. The Water & Tribes Initiative in 2021 launched that project to raise awareness and understanding about the lack of water security in Native American communities within the Colorado River Basin, and to engage leaders to solve the problem.

“Building on the networking and human contact is so important and I’m grateful for this opportunity,” he told the audience.



Alliance First Vice-President Don Schwindt makes closing remarks at the conclusion of the Colorado River tribal water panel. To his left are Anne Castle (panel moderator), Joshua Moore (CRIT), Darryl Vigil (Water & Tribes Initiative) and Manuel Heart (Chair, Ute Mountain Ute Tribe). Photo by Anna Keppen.

Continued on Page 14

“We’re Here to Help—Help Us Help You!”

Western Academics Reach out to Producers

Personnel from several universities in the Western U.S. are eager to work with farmers and ranchers. However, farmers and ranchers are sometimes hesitant to reach out to academics.

Dr. Sharon Megdal, Director of the University of Arizona Water Resources Research Center, moderated a panel that featured representatives from universities across the West, who discussed how their institutions can be more responsive and effective in collaboratively helping solve problems facing Western irrigators.

Panelists on the dais included Steve Blumenshine (California State University System WATER Collaborative), Ethan Orr (Assistant Vice President for Government Partnerships and Community Relations for the University of Arizona), and Perry Cabot (Colorado Water Center, Colorado State University). Robert Masson (University of Arizona, Yuma County Cooperative Extension) participated remotely.

Dr. Megdal opened up the discussion with a reference to Pat O’Toole, who she called a “great family man, rancher and contributor to efforts to understand and advance family farming.” She recalled that Mr. O’Toole delivered a campus-wide distinguished lecture for Dr. Megdal’s graduate water policy class at the University of Arizona in January 2016.

Dr. Megdal conducted an informal show of hands poll for the assembled audience. Less than half of the conference attendees were farmers, even less had worked with a university and just a few acknowledged having been approached by universities.

Dr. Blumenshine explained that he heads the Water Advocacy Towards Education and Research (WATER) collaborative for the California State University system, where his top three duties are “networking, networking and networking”.

“My job is to link people,” he said. “There are a half a million students in the CSU system and they need jobs.”

Robert Masson is a general agricultural extension agent in Yuma, Arizona. He assists growers with solving problems by evaluating methods and technology originating from university and commercial sources. He tries to link farmers with the issues and those who can help guide policy. He said uninformed policy makers keep him up at night, as does sensation-

alist reporting by “out of towners.”

Mr. Masson noted that Arizona, like almost all Western states, uses less water now than in 1962. He has worked with the state, Arizona Farm Bureau, and the private sector to raise tens of millions of dollars to study irrigation conservation by gathering data in a way that also protects the privacy of that data.

He also explained that while his Cooperative Extension has been looking to find substitution crops for alfalfa that use less water, his team also advocates for agriculture, and has published work that goes against the grain of recent media coverage that has targeted alfalfa.

“The facts show that if folks want to maintain a middle-class lifestyle that includes consumption of dairy products, we need alfalfa,” he said.

He pointed to another case, where an Italian pasta firm rejected wheat from Arizona, claiming under Environmental, Social and Governance (ESG) protocols that the growers were wasting water irresponsibly. The UA Cooperative investigated further, and ultimately successfully demonstrated to the Italians that the ESG water use estimates were overinflated.

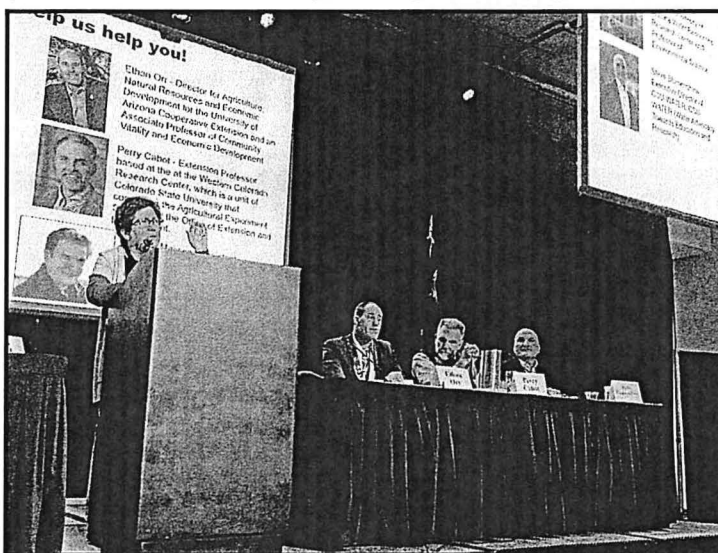
Perry Cabot manages an experimental station in the westernmost reaches of Colorado. He spends much of his time working on assessing evapotranspiration of various

crops, using new remote sensing technology like drones to help finetune those estimates. Mr. Cabot said there is a wheat grass that is very drought tolerant that could work well in Western Colorado headwater areas. He employs Artificial Intelligence technology to develop sprinkler irrigation systems.

Dr. Megdal queried the panelists on the types of challenges they see in the West.

“You can’t separate food security from water security,” Dr. Blumenshine responded, noting that small farmers with permanent crops are especially vulnerable to water and power uncertainty. He believes linking up with growers is very helpful in defining the problem and finding solutions.

Mr. Cabot said he likes it when farmers approach him with an idea. When he in turn asks those farmers if they are inter-



Dr. Sharon Megdal (standing at podium) moderated a panel of representatives from Western universities who discussed how their institutions are working to respond to and collaborate with Western irrigators. Photo by Anna Keppen.

Continued on Page 11

The View from Capitol Hill: Federal Farm & Water Legislation

What's in store for Western water in the second half of the 118th Congress?

Annual Conference attendees got the inside scoop from staff leaders on key Congressional water committees. Panelists included Bill Ball (Natural Resource and Energy Senior Advisor, Speaker of the House Mike Johnson), Jack Holt (Minority Professional Staff, Senate Energy and Natural Resources Committee), Doug Levine (Majority professional staff, House Water, Wildlife and Fisheries Subcommittee), Matt Muirragui (Minority Deputy Staff Director, House Natural Resources Committee), and Melanie Thornton (Majority Professional Staff, Senate Energy and Natural Resources Committee).

Mr. Levine made the trip out to Reno and joined moderator Mark Limbaugh (The Ferguson Group), the Alliance's representative in Washington, D.C. on the dais. The other staffers participated virtually.

Ms. Thornton works for Senator Joe Manchin (D-WV), the Chair of the Senate Energy and Natural Resources (ENR) Committee. In her opening remarks, she said this Congress is much different than previous Congresses, which have passed huge omnibus spending packages.

"Now, with the billions of new Inflation Reduction Act and Bipartisan Infrastructure Law dollars rolling around, there is more of a focus on agency oversight," she said.

Ms. Thornton acknowledged that, while West Virginia isn't a Bureau of Reclamation state, Chairman Manchin is interested in what is happening with his Western colleagues, like Ranking Member John Barrasso (R-WYOMING). She said the Senate is keeping an eye on the Colorado River and there is a chance of a bipartisan Western water bill.

Jack Holt is on the Senate ENR Committee team working for Senator Barrasso. He said he's new to the Committee but sees two water priorities – ensuring projects throughout the West have access to federal funding and an urban canal modernization bill (S. 2160) sponsored by Senator Risch (R-IDAHO) that aims to bring federal funding to upgrade older delivery canals that now have developed areas growing up around them.

Bill Ball was recently hired as a policy advisor to new House Speaker Mike Johnson (R-Louisiana). His office is currently working to get some major legislation moving.

He discussed the Farm Bill and said the rumors that have spun up around what it will look like.

The farm bill is an omnibus, multiyear law that is typically renewed about every five years.

Given the delays from the debt ceiling and appropriations negotiations, lawmakers have yet to release the draft text of the Farm Bill legislation in both chambers. Key topics of debate between Democrats and Republicans include SNAP (food stamp assistance) and funding levels for climate change and rural energy programs.

Mr. Ball said that the vote margin on the Farm Bill is tight.

"It will be a very good bill but getting it passed requires a great deal of wading through the minutia," he said.

Because the appropriations process is on a compressed timeline this year, he doesn't see many, if any, fundamental changes occurring in the new Farm Bill.

Mr. Limbaugh noted that there was a lot of interest in Endangered Species Act (ESA) reforms in the House of Representatives.

"House Republicans have introduced over 70 ESA bills, so far. What are the prospects for these bills?" he asked.

Doug Levine said there have been two House resolutions that went after some of the ESA rules proposed by the Biden Administration, which essentially rolled back regulations implemented by the Trump Administration. There is also a bill being worked on that provides some regulatory relief for landowners who have endangered species improvements on their property.

Mr. Levine also pointed to a new refuge rule recently proposed by the U.S. Fish and Wildlife Service that would prohibit grazing and farming and significantly alter the existing management precedent on over 560 national wildlife refuges in the United States. The House Natural Resources Committee has previously fought for increased access to the wildlife refuge system and GOP members have voiced significant concerns about the proposed regulation.

Mr. Limbaugh noted that several Western water bills – including the STREAM and RAIN Acts from the late Senator Feinstein and Senator Risch's urban canal bill have been getting some attention in the Senate ENR Committee. The House Natural Resource Committee has also held some hearings on a few bills, as well.

"What are the chances for success for those bills?", Mr. Limbaugh asked.

Ms. Thornton said bipartisanship is important to Chairman Manchin and there are some bills still pending that were sponsored by Senator Feinstein.

"Depending on what can be brought together, there could be some good bills passed," she said.

Matt Muirragui who works for House Natural Resources Committee Ranking Member Raul Grijalva (D-ARIZONA) said he's been working on Western water for more than a decade. He declined to speculate on pending legislation.

During the audience Q&A session, Gene Souza (General Manager of the Klamath Irrigation District in Oregon) said he now has old canals in his district surrounded by urbanized areas that once were sparsely populated and rural.

"The repair for them is far more expensive than I can place on my landowners," he said, and asked Ms. Thornton what he could do to remedy this.

Ms. Thornton replied that she is following S. 2160 closely to address this situation and suggested that proponents of that bill meet with other staffers of interested Members on the ENR Committee. In Oregon, that would be Senator Ron Wyden.

The Fate of the Lower Snake River Dams

A slate of actions aimed at preparing the Pacific Northwest for a scenario in which four dams on the Lower Snake River are breached is under consideration as the Biden Administration looks to resolve a 22-year-long legal dispute over declining salmon populations. Todd Ungerecht (Family Farm Alliance policy advisor) moderated a February 22nd afternoon panel of Pacific Northwest elected officials, power, agriculture and water experts to provide the perspectives of those left out of these closed-door negotiations.

Panelists included The Honorable Doc Hastings (former Congressman from Washington and past Chair of the House Committee on Natural Resources), Paul Arrington (Executive Director, Idaho Water Users Association), Scott Corwin (President and CEO of the American Public Power Association), and Chris Voigt (Washington State Potato Commission).

Backdrop

Mr. Ungerecht -who was hired as a policy consultant by the Alliance last year – provided some initial background on the topic before handing the microphone over to the panelists. He explained that the Lower Snake River dams have been at the center of a longstanding federal lawsuit, and were part of a \$1 billion settlement agreement announced by the Biden Administration in December, possibly creating a pathway for their potential removal.

A federal judge issued a five year stay in the lawsuit earlier in the month — with the potential for the pause to go up to 10 years — to allow the settlement to be put into place. Despite objections from opponents, including the states of Idaho and Montana, as well as industry groups such as Northwest RiverPartners and the Public Power Council, Judge Simon upheld the stay, emphasizing that the court is not passing judgment on the settlement itself.

Critics of the settlement, including GOP lawmakers and industry groups, have accused the White House of secret negotiations which has prompted legislative efforts to block funding for studying dam removal.

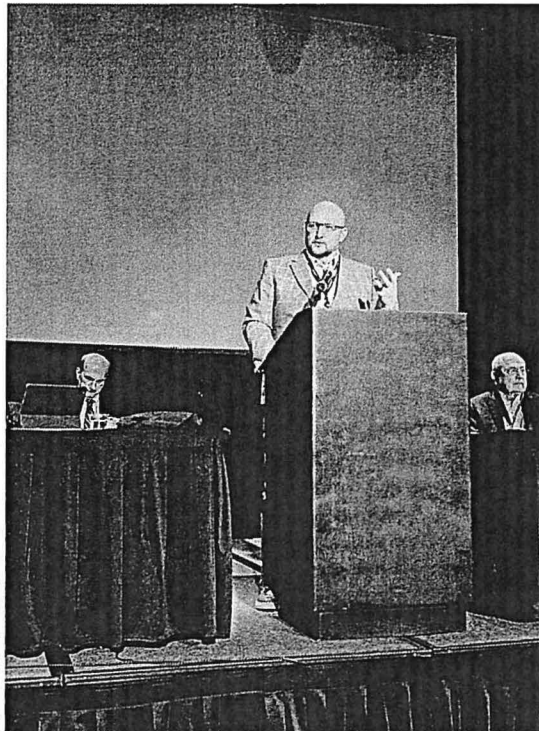
“The lack of transparency has been astounding,” Mr. Ungerecht said.

Paul Arrington explained some other stressor that can be addressed to improve fish passage, but said that proponents of dam removal treat solutions like fish ladders and hatcheries as “taboo subjects”.

“Only the topic of dam breaching was allowed” to be discussed, he said.

Mr. Arrington explained that, after Congress and state legislators could reach an agreeable solution, the Biden Administration stepped in to find a cure.

“They gave themselves a year to do it,” he said. “Then they found out how complicated it was and gave themselves more time. The only ones allowed at the table were those who had filed suit against keeping the dams in place.”



Paul Arrington (IWUA) describes process concerns associated with the recent “settlement” in the Columbia River Basin To his right is Todd Ungerecht (Family Farm Alliance), to his left is former Congressman “Doc” Hastings (R-WASHINGTON). Photo by Anna Keppen.

Impacts to Power and Water Users

Scott Corwin said there are about 2,000 public power agencies nationally, and hydropower represents 40 percent of the nation’s renewable energy nationally. In the Northwest, hydropower is the source for 80-percent or more of the energy used, as compared to renewable energy, which is at 10 percent.

“Hydroelectricity is still the most reliable and cleanest source of power,” he said.

Mr. Corwin said the settlement makes commitments to breach the four dams but it doesn’t fully address the multiple agreements impacting that action. The states of Oregon and Washington and only four of the 44 tribes were included in preparing this agreement. No power interests were represented.

Chris Voigt said there is land in eastern Washington that is the most productive potato ground on earth; it also receives water from the Snake River.

“If you can’t farm there, the nation’s supply of potatoes and apples will dip 10 percent,” he said. “And breaching the dams will also render the river unnavigable.”

Much of the grain grown in the western U.S. reaches the ports in Vancouver, Washington and Portland, Oregon and gets there by barge traffic dependent upon the lock system provided by the dams. One barge carries the equivalent of 300 rail cars or 500 trucks, so the alternative transportation mode in the absence of the dams would be more motorized conveyance.

Ignoring the Facts

Doc Hastings, the former Republican Congressman from Eastern Washington and chairman of the House Natural Resources Committee said that those wanting to preserve the

Continued on Page 12

Where's the Recourse? The Challenges of Dealing with ESA Administration

Few in the public understand the power that lies in the hands of agency staff charged with implementing the federal Endangered Species Act (ESA). Norm Semanko (Family Farm Alliance General Counsel) moderated a February 23 panel that provided informative case study results, as well as recommendations and strategies, from experienced ESA practitioners.

Panelists included Karen Budd-Falen (Budd-Falen Law Offices, and former Deputy Solicitor for Wildlife and Parks at the Department of the Interior), Mauricio Guardado (General Manager of United Water Conservation District, Oxnard, California) and Paul Simmons (Executive Director, Klamath Water Users Association).

“Pray for SCOTUS to Overturn *Chevron*”

Ms. Budd-Falen grew up on a Wyoming ranch and still owns it. She has been dealing with the ESA for decades, including a stint at the Department of Interior under President Trump. Serving at Interior, she said, was “actually fun”.

She told the audience to pray for Supreme Court to overturn the *Chevron* doctrine.

The U.S. Supreme Court heard arguments in January in two cases that could severely weaken the power of administrative agencies to set regulations. The arguments dealt almost entirely with “*Chevron* deference,” a principle giving wide latitude to federal agencies to write regulations that the high court established in the 1984 case *Chevron v. Natural Resources Defense Council*.

“That ruling has for decades restricted federal courts from deciding questions of policy unless there is a clear breach of the law or the Constitution,” said Mr. Semanko. “The Supreme Court’s upcoming decision could overturn or significantly hobble the doctrine.”

In the wake of the arguments, both supporters and opponents of *Chevron* are widely predicting its demise, after four conservative justices all expressed eagerness to overturn the nearly 40-year-old doctrine established in 1984 by a unanimous high court.

“Congress never envisioned somebody like the Center for Biological Diversity’s twisted efforts when authors were writing the ESA,” she said.

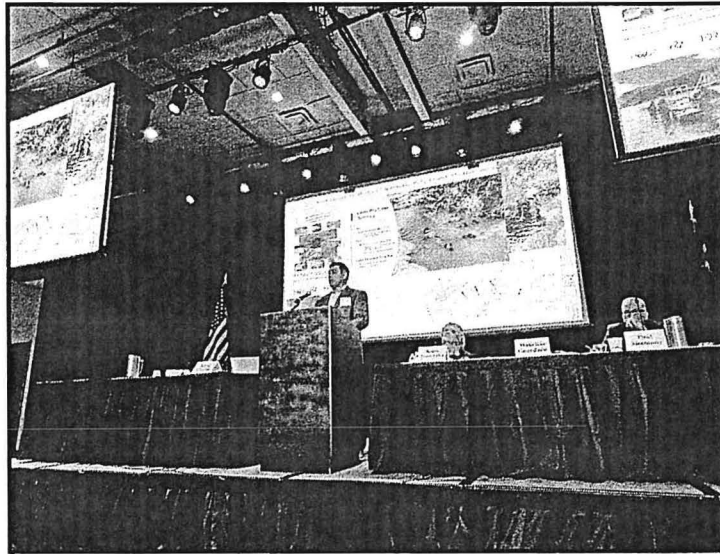
The Center for Biological Diversity is one of the most litigious environmental activist organizations in the country, and their lawsuits – aimed at federal agencies whose jurisdiction has direct influence on Western water managers, farmers

and ranchers – have driven court decisions that have had severe repercussions for many Family Farm Alliance members.

“The *Chevron* rule gives agencies a much wider ability to enforce regulations without appeal,” said Ms. Budd-Falen.

Paul Simmons agreed and said that having the *Chevron* deference issue overturned will be very helpful in reducing agency deference by the courts.

“Having the *Chevron* doctrine in place reduces the quality of work by the state and federal agencies, because there is no accountability to actions imposed by those agencies,” he said.



Mauricio Guardado describes the regulatory nightmare United Water Conservation District is enduring in southern California. Seated to his right are fellow ESA experts Karen Budd-Falen and Paul Simmons. Photo by Anna Keppen.

“Egregious Overreach” in Ventura County

Challenges for water users on the West Coast - where salmon, and other anadromous species are present – are further complicated because the National Oceanic Atmospheric Administration (NOAA), housed in the Department of Commerce (and not the Department of Interior, home of the Fish and Wildlife Service) – enter the picture. Having NOAA in Commerce also places National Marine Fisheries Service (NMFS) under Commerce.

Mauricio Guardado and his agency – the United Water Conservation District, located in Ventura County, California – have some

firsthand experience with the heavy-handed tactics employed by NMFS employees.

The directives imposed by NMF for steelhead trout in his watershed represent “one of the most egregious overreaches” occurring on the West Coast, he said.

Ventura County is dry and hot for much of the year. Santa Felicia Dam was constructed on Piru Creek - which is also dry for most of the year - and it has played a vital role in recharging downstream aquifers underlying the Oxnard Plain.

Mr. Guardado explained that United conserves runoff from all major tributaries of the Santa Clara River within the District, including Piru, Hopper, Sespe, and Santa Paula Creeks. Without these efforts, much of this water would simply flow out to sea.

“Through monitoring and innovative, responsible best practices, we are able to replenish area aquifers with nearly 100,000 acre-feet of water in an average year – enough to provide close to 200,000 families with water for one year,” he said.

Continued on Page 15

Navigating the Nexus: NRCS and DOE Funding on BOR Projects

Julie O’Shea (Executive Director, Farmers Conservation Alliance) led a panel discussion on finding ways to maximize the effectiveness of the Natural Resources and Conservation Service (NRCS) Watershed and Flood Prevention Operations Program, commonly referred to as the “PL-566” program.

Panelists included Mike Britton (North Unit Irrigation District), Jed Jorgensen (Electricity Infrastructure Advisor, Pacific Northwest National Laboratory), Astrid Martinez (NRCS Conservation Planning and Technical Division Director), and Jordan Rank (Project Management Supervisor, Bureau of Reclamation).

Ms. O’Shea provided some background on the PL-566 program, which holds great potential to assist Western irrigation districts with modernizing their delivery systems.

“Unfortunately, there is a great deal of paperwork, jargon and other confusing impediments slowing down funding of this program,” she said. .

Her organization -Farmers Conservation Alliance - worked with the Family Alliance and other allies last year to coordinate with the office of Senator Michael Bennet (D-COLORADO) on legislation intended to streamline PL-566.

Continued on Page 13

Reclamation Roundtable (Cont’d from Page 5)

“Last year’s atmospheric rivers made travel tough in and out of Reno for our conference, but it also saved the day from drought, especially on the West Coast,” said Mr. Keppen.

While reservoirs in Mr. Nickels’ region saw a near-miraculous recovery in 2023, things were not so dramatic in other regions. Mr. Esplin said last year was above average for the Great Plains, but this year’s water supply in the Missouri Basin is down due to low snowpack.

“Carryover has been the saving grace so far this year,” he said.

Ms. Carrington said that water levels in the Pacific Northwest are also down. The snowpack is low and storage is at 30 percent in some areas, she said, although there are a few places in Oregon dealing with flood control.

“So, it’s not all dry,” she noted.

Mr. Pullan said it will take several 2023 water years to restore the Colorado River system to previous plentiful supplies. He noted that there are new guidelines coming on regarding Colorado River operations, and the older ones are expiring in 2026.

“This will present the opportunity to rewrite things, using 20/20 hindsight,” he said. “This will help update future reactions to changing Colorado River hydrology.”

Further down river in the Lower Colorado Basin, Mr. Arend has seen improvements at Lake Mead, but it is still at 38 percent capacity. He said Reclamation is looking at additional supplemental storage along the river, and he’s been working with power customers, water districts and the states on a new Environmental Impact Statement.

In response to his closing question, “What keeps you up at night?”, the panelists responded with some familiar themes. Aging infrastructure. Changing hydrology. People, partnerships and investments. Insufficient staffing to meet the paperwork demand. And ag profitability.

“It has been disappointing that most of the funding seems to be going to more well-heeled partners and that it is not, in general, flowing to those agricultural projects that need it most,” Mr. Pullan remarked. “What keeps me up at night is that we might miss this opportunity to benefit our agricultural projects.”

“We’re Here to Help - Help Us Help You! (Cont’d from Page 7)

ested in hosting the research on their farms, he said most of them say “yes”, which is a tremendous boon to his research.

Ethan Orr agreed and said that working with growers is the best way to conduct research.

“Growers deserve respect,” he said. “They are often third, fourth or more generation growers and they know the land better than anyone. They can survive on a thin margin.”

Dr. Megdal wrapped up the 75-minute session and solicited questions from the audience, urging them to share the challenges they have encountered working with academia.

Family Farm Alliance First Vice-President Don Schwindt explained the challenges he has seen on Colorado’s West Slope, where the scientific relationship between forests, streamflow and groundwater requires more study and understanding.

“What does academia need to further engage on that topic and help solve problems?”, he asked.

Mr. Cabot said Colorado academia is decentralized, but when an organization like Family Farm Alliance steps up to draw attention to an issue like this, it carries weight.

When the conference was over, event organizers and attendees were pleased with the success of the university panel, the first of its kind featured at an Alliance convention.

Dr. Megdal – like many of those gathered in Reno - also lamented missing the presence of Alliance President Pat O’Toole.

“Pat was a giant – a gentle giant,” Dr. Megdal remarked. “His kindness and commitment were evident in every conversation I had with him.”

The Fate of the Lower Snake River Dams (Cont'd from Pg 9)

dams have been dealing in facts. Their opponents, who he referred to as the “environmental left”, have not been responding in kind, he said. He pointed to a 1997 full-page ad that was taken out in the *New York Times*, claiming that the Lower Snake dams would have to be removed or the salmon would be extinct by 2017.

“A few weeks later, the environmentalists’ coffers began to fill and things got started,” he said. “Before then, there was no one in New York even aware of the Snake River.”

Congressman Hastings posed some questions that the dam opponents simply won’t address or provide answers to. Why are the four Columbia River dams of the Snake River - which salmon would have to traverse - not mentioned? Why isn’t Hells Canyon Dam – located upstream of the four Snake River dams – not mentioned?

He said “judicial legislation” – crafting laws from the bench - has largely been at play here, and the judges in his opinion are aligned with the environmental left.

Questions for the Panelists

Mr. Ungerecht asked the panelists by what authority the Biden Administration interjected itself in the litigation.

Mr. Corwin said that was never disclosed. He said all four of the dams would have to have Congressional approval to be breached, or a “giant hole” in the law would be created.

“That is being tiptoed around, and the feds are being careful to avoid the matter,” he said.

Mr. Ungerecht pivoted to the topic of loss power generation that would occur with the loss of the dams. How that power be replaced?

Mr. Corwin put up a slide showing a graph that illustrated how critical hydropower is on the Snake River for the Pacific Northwest.

Plunging temperatures across the Pacific Northwest stayed below freezing for four days last January. Despite record-breaking energy demand and other challenges, the federal

power system supported its utility customers and the region through the most intense cold snap the Northwest had seen in 20 years.

The lower Snake River dams made major contributions to Bonneville Power Administration’s efforts to keep the lights on during the cold snap. Combined, Lower Granite, Little Goose, Lower Monumental and Ice Harbor dams peaked to more than 1,000 MW each day from Jan. 13-16 with the highest one-hour peak of 1,146 MW achieved on Jan. 16. In addition to peaking performance, Ice Harbor Dam provided much needed local energy in the Tri-Cities area by increasing minimum generation throughout the extreme weather event.

Mr. Corwin said replacing this hydropower would have to come from gas powered sources, and warned that it would have to be built fast. He said it will cost billions of dollars to replace the Snake Dams’ power output.

Mr. Voigt said power to run pumps is a regional demand and this isn’t going to impact just those along the Snake River but rather, the entire Pacific Northwest ag community.

Doc Hastings said the opposition to the dams has never addressed this issue because they don’t know.

“They don’t have any plan to replace this power,” he said.

During the audience Q&A session, Leslie Druffel (The McGregor Company) noted that she had been involved in this issue since the beginning. She said if the river barge navigation were removed, the railroads and trucking routes would not be able to handle the conveyance load through the Columbia River Gorge. She complimented the panel for explaining the situation so clearly.

Ry Kliever, an irrigator who farms in Oregon’s Klamath Project, directed his question to Doc Hastings.

“Environmentalism was woke before woke was cool,” he said. “When did that happen?”

Congressman Hastings apologized and said he could not recollect just when that happened. Earlier in the discussion, he said he believed if a new president were elected, these proposed actions almost certainly would be erased, and shared hopes that the administration will change.



Meet Don Wright of WaterWrights.net, this year’s *Monthly Briefing* Special Conference edition’s on-site correspondent!

Don took detailed notes that helped form the basis for the articles in this *Monthly Briefing*. However, final editing was performed by Family Farm Alliance contractors, so any criticism can be leveled at dan@familyfarmalliance.org.

Don’s WaterWrights.net has carved a niche covering news at “the intersection of public and private transfer”– California’s water and irrigation districts.

“I’m very glad I was able to attend the Family Farm Alliance conference this year,” said Don. “I wish I could have know Pat O’Toole longer. Thank you so much for letting me be a part of the Family Farm Alliance.”

Thank YOU, Don! Great work!

“Muddy Reflection” - A Look Back at the 2023 Water Season

Justin Harter (general manager of the Naches-Selah Irrigation District) on the morning of February 22 shared his experiences from Washington’s Yakima River Basin and offered tips for other Western water managers who may have to tackle unexpected challenges resulting from mismanaged federal forests.

In early August 2021, lightning started the Schneider Springs Fire on a parched landscape about 18 miles northwest of Naches, and it expanded quickly. It was the largest fire in Washington that year, totaling 107,337 acres.

Two years later, Yakima Valley water users are still wrestling with the impacts. Following repeat rain and thunderstorm events last May and June which hit upstream burn areas, high turbidity and debris flows moved downstream, clogging fish screens and restricting irrigation canal capacity.

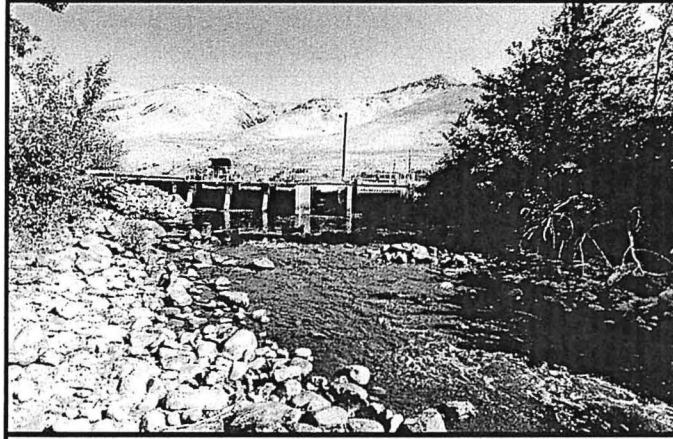
“It was no secret that the irrigation water was very muddy last year,” Mr. Harter said in his presentation.

He explained that spring runoff was followed by thunderstorms over the 2021 Schneider Springs Fire burn area. Wildfire ash and debris was washed into Rattlesnake Creek and other tributaries of the Naches River, where the irrigation water originates. This continued through subsequent storms, which caused streams to turn the consistency of chocolate milk.

“We got a lot of complaints from growers,” he said, noting that the producers and the district were simply not prepared for this amount of sediment. “Many water users called our office unsure how to irrigate because mud was clogging sprinklers, filters and pumps. Since irrigation water originates

directly from the Naches River, mud and debris come right along with it.”

Wooden flumes and tunnels are still part of the conveyance system he manages. The old, wooden flumes were also susceptible to damage or destruction from fire, so the public and first responders were quick to report threats to those structures.



High turbidity triggered by 2021 upstream wildfire. Naches River diversion structure for Naches-Selah Irrigation District, June 2023. Photo courtesy of NSID.

“Patrolmen worked around the clock to keep screens clear and remove silt from problem areas,” he said. “Canal areas that usually only need to be cleared once at the end of the season were cleared four times, with over a month left in the season. They are still cleaning things up.”

The burned areas in the upstream watershed areas will take more years to recover as enough vegetation grows to prevent further erosion.

“We are at risk for repeated muddy water events from this and other burn areas for the coming years,” he said.

He offered some tips for other Western water managers struggling with the aftereffects of fierce Western wildfires.

“Don’t irrigate until the water clears up, if you can,” he said. “The turbid water brings a lot of weed seeds that can cause long-term frustration. Even the large orchards in your neighborhoods with state-of-the-art systems choose to use this method at times.”

He also noted that most equipment uses flushing or back-flush functions, which can also add the challenge of water, sediment and debris to manage on private property.

“Hopefully these tips will give you some options to consider for upgrades of your system that may help prepare for muddy water in the future,” he told the audience in his concluding remarks.

“Navigating the Nexus” (Continued from Page 11)

The legislation aims to improve the PL-566 program by streamlining the program’s planning and administrative processes and creating parity in funding allocations between southeast states and other areas of the country.

Mr. Britton built upon Ms. O’Shea’s opening comments and noted that a Reclamation grant in 2003 was all of two pages in length.

“Now you have to hire professional grant writers and there is much more competition,” he said.

He explained that North Unit Irrigation District applied for a PL-566 grant several years ago. He learned that organizing pre-application paperwork – such as a full evaluation of

the hydrologic system – was useful. This was conducted at a time when the PL-566 grant program was dormant.

When the program was restored, the district was eligible for a \$25 million grant.

“FCA was very helpful in preparing the grant, and I expect many more folks will be signing up,” he said.

Mr. Jorgensen, Ms. Martinez and Mr. Rank rounded out the panel with shared observations on how the various federal agencies view PL-566, how coordination between the agencies has improved, and identified areas where further coordination and efficiencies could be obtained.

Colorado River Tribal Panel (Continued from Page 6)

Mr. Vigil said the world is watching as the process of developing the Colorado River operational guidelines proceeds.

"This is important, as the tribes have water rights to 25 percent of the river," he said. "And it is a distinct difference in this type of right than those held by the states. A good deal of the water owned by the tribes goes downstream uncompensated."

Mr. Vigil said the southwest tribes were hit very hard by COVID because they were not prepared.

"Now they are not as prepared to build their economy as I'd like to see," he said. "The tribes are now just starting to get their water rights together."

Mr. Vigil said the Apache people traditionally moved around as hunter-gatherers but now reside on a finite piece of land, farming and ranching.

He described his youth, where he grew up with his grandparents on a subsistence farm that only had an outhouse and a galvanized tub for bathing. He spoke about sustainability and the importance of working together for the future.

Farming and Ranching Challenges

"There are many of the same challenges all growers face," Anne Castle observed, "But there are also some unique challenges tribal communities face, such as dealing with multi-state properties and having the Bureau of Indian Affairs as a partner."

She asked what challenges the tribes are facing in farming and ranching.

Chairman Heart said the Ute Mountain Farm & Ranch projects in 2021 only received a fraction of its water supply and the operations costs soared to \$500,000 annually, conditions that were not considered in the establishing legislation. Tribal representatives traveled back to Washington D.C to meet with Department of the Interior to work out a drought scenario solution.

"The next challenge was getting the fallowed fields back up to production. It was a difficult year and we even had to lay off employees," he said. "When I look around this room, I see folks with the same challenges."

He explained the challenges of trying to service Ute lands in New Mexico from a water supply source in Colorado.

"Getting this worked out between the state governments has been keeping me up at night," he said.

Mr. Vigil said the next policy paradigm is very important. There has been progress getting the seven states in the Colorado basin to recognize the tribes.

"The Upper Colorado has a different governing structure from the Lower Basin and that sometimes pits tribes against each other in these negotiations," he said. "The tribes have had to give up sovereignty when negotiating and participating with the states."

He said the Jicarilla Apache Nation have had to create strategic and flexible tools like one recent agreement with New Mexico at the Four Corners. He said this is the first time a tribe has been treated as sovereign by the state of New Mexico.

Mr. Moore quoted Will Rogers, who once said "farmers are optimists, or they wouldn't be farmers".

"Farmers have problems and like to talk about them," said Mr. Moore, "But I believe you shouldn't get hung up on a problem without having at least an idea of a solution."

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.

Mr. Vigil said there is no overarching discussion about agriculture in the Colorado Basin. He said the values, however, are universally shared.

Chairman Heart closed his comments by asking everyone to please keep the O'Toole family in their prayers.



PUTTING THE "FAMILY" IN FAMILY FARM ALLIANCE

Family Farm Alliance Advisory Committee Member Eric Whyte (L) and Lorraine Jean Begay (Ute Mountain Tribe Farm & Ranch Enterprise) pose for a photo with Alliance Executive Director Dan Keppen, his daughter Anna and wife Dena.

Anne Castle concluded her panel discussion by quoting an old saying in the Colorado Basin.

"There's no silver bullet solution, but there is silver buckshot," she said, acknowledging that you tackle a big problem with many small solutions.

Before heading to break, Don Schwindt said that demonstrating the commonalities between the tribes and the members of the Family Farm Alliance via this panel was important and vital to understand.

"The more affluent a society becomes, the less important the future generations are," he said. "I see more hope and patriotism in Indian country than in much of our American society."

ESA Implementation Challenges (Continued from Page 10)

Mr. Guardado has direct and unfortunate experience dealing with NMFS in Southern California.

“This agency, at least in Southern California, has taken federal environmental laws intended to protect species and ecosystems and, without any basis in science, historic data, or even best practices, has issued requirements that are, quite frankly, senseless,” he said.

Mr. Guardado explained that NMFS has asserted that Piru Creek is a possible steelhead resource, despite the fact that since the late 1800s, Fish and Game biologists and regulatory agencies have documented that the creek is not conducive to steelhead. In fact, steelhead have never been observed in that watershed.

According to Mr. Guardado, even the Federal Energy Regulatory Commission (FERC) supports United’s position.

Nevertheless, NMFS in 2008 issued a “jeopardy biological opinion” that would force more than \$100 million in development to mitigate in case a steelhead trout shows up.

“This is like moving an iceberg to the Sahara Desert, just in case a polar bear might show up,” he said. “Despite overwhelming evidence to the contrary, NMFS continues to demand expensive, unnecessary fish passage and habitat mitigation regardless of historical data, consistently dry conditions, natural migration barriers, and assessments of the region.”

For example, NMFS has required continuous water releases from United’s infrastructure into lower Piru Creek strictly for purposes of steelhead preservation. That again, have never been seen there.

“Why are we taking water away from farms and communities to accommodate fish that do not exist in the watershed?” he asked.

Mr. Guardado said that NMFS has forced releases from the dam that have changed the stream bed’s ecology and has led to denser congregation of trees and shrubs. Yet no steelhead or even trout have been found. NMFS, he says, has said “absence of evidence isn’t evidence of absence (of steelhead)”.

United Water is taking a new tact with NMFS. They believe the federal agency can only exert jurisdiction on fish species that are anadromous – those that spend at least part of their time in the ocean, like salmon. In the meantime, he said publicly exposing these acts of “malfeasance” is most likely the best way to get common sense recognized.

“Not to end on a bad note, but when you think you got it bad, just think of Ventura County, and you can feel better about your situation,” he told the audience as he closed his presentation.

**The Klamath Irrigation Project:
Flaws in ESA Implementation Procedures**

Paul Simmons has spent decades of his career dealing with ESA issues in California and the Klamath River Basin, which straddles the Golden State and Oregon.

He is a partner in his Sacramento law firm with Stuart Somach, an attorney who wrote an article thirty years ago titled, “What Outrages Me About the Endangered Species Act.”

In his paper, Mr. Somach examined conflicts between interests in species protection and land use interests.

The major cause of these conflicts stems from flaws within the ESA’s implementation procedures.

Stuart Somach’s paper concluded that these flaws pave the way for agencies and special interest groups to utilize the Act’s substantive provisions to control or to eliminate legitimate development activities.

Mr. Simmons said in the Klamath Basin the draconian implementation by federal fisheries agencies of certain provisions of the ESA Basin have harmed farmers while doing nothing to help the targeted fish they are intended to protect.

“The title of this panel is ‘What’s the recourse?’” he said. “Well - you can file a lawsuit. But the deck is stacked against the plaintiffs. The court doesn’t reach a verdict based on the best available science. It determines whether any evidence exists.”

Mr. Simmons said that with the *Chevron* doctrine currently in place, the quality of work by the state and federal agencies is diminished because there is no accountability to actions imposed by agencies. Like Karen Budd-Falen, he thinks having the *Chevron* doctrine overturned could be very helpful in reducing agency deference by the courts.

“KWUA and other Project irrigators have been focused on ESA implementation issues for years,” he said.

For example, in 2021, about 300,000 AF flowed into the Upper Klamath Lake- the primary storage reservoir that feeds the Klamath Reclamation Project. Ultimately, 400,000 AF was ordered to be released downstream by the federal government to prevent harm to listed salmon species downstream in California.

“There is no right or obligation to release stored water from Upper Klamath Lake down the Klamath River,” said Mr. Simmons.

He said that KWUA, Klamath Irrigation District, and other districts tried to raise the issues in a federal lawsuit in early 2019. But their case was dismissed based on arguments by two tribes that they were indispensable parties to the case, and the case could not proceed without them. Because those same tribes have sovereign immunity and could not be joined without their consent and did not give their consent, the case had to be dismissed.

Mr. Simmons said realistically he thinks one single court decision in favor of the regulated community will likely not make a difference in agency EPA implementation.

“It will require a sea change of public opinion,” he told the audience in his closing comments. “I’m not sure how that would happen. Despite how difficult it is and how disrespected you feel – you have to be credible with the public, whether you’re a Boy Scout or Green Beret.”

A Big Thank You to Our New and Supporting Members!

JANUARY-FEBRUARY 2024

CHAMPION (\$10,000 and Above)

**Imperial Irrigation District (CALIFORNIA)
Banta-Carbona Irrigation District (CALIFORNIA)
Yuba Water Agency (CALIFORNIA)**

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

**Arvin-Edison Water Storage District (CA)
Central Nebraska Public Power & Irrigation District
Idaho Water Users Association Kittitas Reclamation District (WA)
Klamath Water Users Association (OR) Panoche Water District (CA)
Southwestern Water Conservation District (CO) Stone Land Company (CA)**

DEFENDER (\$1000-\$4999)

**Anderson Farms Inc. (WA) Animas-La Plata Water Conservancy District (CO)
Dolores Water Conservancy District (CO) Fremont Madison Irrigation District (ID)
Kansas-Bostwick Irrigation District (KS) Metropolitan Water District of Southern California
Middle Rio Grande Conservancy District (NM) Orange Cove Irrigation District (CA)
Pathfinder Irrigation District (NE) Payette River Water Users Association (ID)
Poe Valley Improvement District (OR) Salt River Project (AZ)
Santa Ynez River Water Conservation District (CA) Somach, Simmons & Dunn (CA)
South Columbia Basin Irrigation District (WA)
Southeastern Colorado Water Conservancy District
Sunnyside Valley Irrigation District (WA) Upper Arkansas Water Conservancy District (CO)
Whitman/SWK Farms (AZ) Yakima-Tieton Irrigation District (WA)**

PARTNER (\$500-\$999)

**Ainsworth Irrigation District (NE) Arizona Farm and Ranch Group Bailey Brothers (CA)
Barncastle Law Firm (NM) Bill Diedrich (CA) Burley Irrigation District (ID)
Carlsbad Irrigation District (NM) Colorado River Energy Distributors Association (AZ)
Don Schwindt (CO) East Fork Irrigation District (OR) Eckloff Farms (CO)
Four States Irrigation Council (CO) Kagele/Kiesz Family Farm LLC (WA)
Kaweah Delta Water Conservation District (CA)
Lower South Platte Water Conservancy District (CO)
Pacheco Water District (CA) Parreira Almond Processing (CA) Pioneer Irrigation District (ID)
RKJ Equipment (NM) Rubicon Water (CO) Salopek 6U Farms (NM)**

- Continued on Page 17 -

A Big Thank You to Our New and Supporting Members!

JANUARY-FEBRUARY 2024

PARTNER (\$500-\$999-Continued from Pg 16)

Seus Family Farms, Inc. (CA) Stanfield Irrigation District (OR) Valley Shredding (NM)
Western Canal Water District (CA) Westside Irrigation Co. (WA)

SUPPORTER (\$250-\$499)

Britz Inc. (CA) Columbia Basin Development League (WA) Falls Irrigation District (ID)
Frank Hammerich (OR) Joe Mahaffey (CO) K-Cubed, L.L.C (OR)
Love Farms, Inc. (OR) Mark Deutschman (MN) Parsons Behle & Latimer (ID)
Perez Farms (CA) State of Idaho Water District 63 Tumalo Irrigation District (OR)
United Water Conservation District (CA) Water Resources Consulting Services (CA)
Woodhouse Farming and Seed Company (OR)

DONOR SUPPORT

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

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

OR EMAIL jane@familyfarmalliance.org



Protecting Water for Western Irrigated Agriculture

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

2024 ALLIANCE AWARD WINNERS



Tanya Trujillo, who served as President Biden's Assistant Secretary for Water and Science at the Dep't of Interior, was the recipient of this year's John Keys III Award, presented in appreciation for her over three decades tirelessly working as an attorney on Western natural resources in the private sector, for Western water commissions, in Congress, and at Interior. Other award recipients included Jim Broderick (long-time Alliance Advisory Committee member and retiring general manager of the Southeastern Colorado Water Conservancy District) - this year's "Water Warrior" award winner, and Ernest Conant (retiring Reclamation regional director), who received the Alliance's "Distinguished Service Award". CONGRATULATIONS, Tanya, Jim and Ernest!

CORRESPONDENCE LIST
MARCH 2024

1. February 15, 2024 - Letter from the District to thirteen customers regarding backflow testing requirement
2. February 16, 2024 - Notice and Agenda received from the Groundwater Sustainability Agency for the Eastern Management Area February 22, 2024 Regular Meeting
3. February 19, 2024 - Notice and Agenda received from the Santa Ynez Community Services District for the February 21, 2024 Regular Board Meeting
4. February 19, 2024 - Notice and Agenda received from the Los Olivos Community Services District for the February 23, 2024 Technical Subcommittee Meeting
5. February 19, 2024 - Notice and Agenda received from the Los Olivos Community Services District for the February 26, 2024 Project Management Subcommittee Meeting
6. February 20, 2024 - Letter received from the Santa Barbara County Fire Department regarding Fire Service requirements for APN 141-360-055
7. February 21, 2024 - Notice and Agenda received from the Cachuma Operation and Maintenance Board for the February 26, 2024 Regular Board Meeting
8. February 22, 2024 - Notice of Cancellation received from the Los Olivos Community Services District for the February 23, 2024 Technical Subcommittee Meeting which is rescheduled to February 26, 2024
9. February 22, 2024 - Letter from the District to Central Coast Water Authority regarding submittal of Form 700's for District representatives
10. February 22, 2024 - Letter from the District to ACWA/Joint Powers Insurance Authority regarding submittal of Form 700's for District representatives
11. February 22, 2024 - Letter from the District to Santa Barbara County Clerk-Recorder regarding submittal of Form 700's for District representatives
12. February 26, 2024 - Notice and Agenda received from the Los Olivos Community Services District for the February 28, 2024 Regular Board Meeting
13. February 23, 2024 - Press Release received from the Santa Ynez River Water Conservation District regarding the Department of Water Resources (DWR) announcement of Central Coast Groundwater Sustainability Agencies \$5.5 million granted from DWR for Local Groundwater Conservation, Water Quality, and Sustainability Projects
14. February 29, 2024 - Can and Will Serve letter sent for APN 135-122-025
15. February 29, 2024 - Letter received from Santa Barbara County Fire regarding Fire Department requirements for APN 143-220-004
16. March 4, 2024 - Letter from District sent to twenty-one customers regarding backflow testing requirements

17. March 5, 2024 - Notice and Agenda received from the Los Olivos Community Services District for the March 8, 2024 Finance Subcommittee Meeting

18. March 6, 2024 - February 2024 Community Update Newsletter received from the Los Olivos Community Services District
19. March 8, 2024 - Notice and Agenda received from the Central Coast Water Authority for the March 14, 2024 Operating Committee Meeting
20. March 11, 2024 - Notice and Agenda received from the Los Olivos Community Services District for the March 13, 2024 Regular Meeting