

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, September 20, 2022**

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

OR

VIA TELECONFERENCE

TELECONFERENCE PHONE NUMBER: 1-669-900-9128

MEETING ID: 929 0039 9487#

PARTICIPANT ID No.: 180175#

MEETING PASSCODE: 180175#

Important Notice Regarding Public Participation in This Meeting: For those who may not attend the meeting in person or teleconference but wish to provide public comment on an Agenda Item, please submit any and all comments and written materials to the District via electronic mail at general@syrwd.org. All submittals should indicate **“September 20, 2022 Board Meeting”** in the subject line. Public comments and materials received by the District will become part of the post-meeting Board packet materials available to the public and posted on the District’s website. In the interest of clear reception and efficient administration of the meeting, all persons participating via teleconference are respectfully requested to mute their voices after dialing-in and at all times unless speaking.

1. **CALL TO ORDER AND ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **REPORT BY THE SECRETARY TO THE BOARD REGARDING COMPLIANCE WITH THE REQUIREMENTS FOR POSTING OF THE NOTICE AND AGENDA**
4. **CONSIDERATION OF RESOLUTION NO. 825 – A Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 Authorizing Remote Teleconference Meetings Under the Ralph M. Brown Act in Accordance with AB 361**
5. **ADDITIONS OR CORRECTIONS, IF ANY, TO THE AGENDA**
6. **PUBLIC COMMENT** - Any member of the public may address the Board relating to any non-agenda matter within the District’s jurisdiction. The total time for all public participation shall not exceed fifteen (15) minutes and the time allotted for each individual shall not exceed three (3) minutes. The District is not responsible for the content or accuracy of statements made by members of the public. No action will be taken by the Board on any public comment item.
7. **CONSIDERATION OF THE MINUTES OF THE REGULAR MEETING OF AUGUST 16, 2022**
8. **CONSENT AGENDA** - All items listed on the Consent Agenda are considered to be routine and will be approved or rejected in a single motion without separate discussion. Any item placed on the Consent Agenda can be removed and placed on the Regular Agenda for discussion and possible action upon the request of any Trustee.
CA-1. Water Supply and Production Report
CA-2. Central Coast Water Authority Update
9. **MANAGER REPORTS - STATUS, DISCUSSION, AND POSSIBLE BOARD ACTION ON THE FOLLOWING SUBJECTS:**
 - A. **DISTRICT ADMINISTRATION**
 1. Financial Report on Administrative Matters
 - a) Presentation of Monthly Financial Statements – Revenues and Expenses
 - b) Approval of Accounts Payable
 2. 2022 Biennial Notice for District’s Conflict of Interest Code
 3. County of Santa Barbara Official Candidate List for the November 8, 2022 Election

- 10. REPORT, DISCUSSION, AND POSSIBLE BOARD ACTION ON THE FOLLOWING SUBJECTS:**
- A. SUSTAINABLE GROUNDWATER MANAGEMENT ACT**
 - 1. Eastern Management Area Update
 - B. CENTRAL COAST WATER AUTHORITY**
 - 1. Update Regarding CCWA Water Quality and Deliveries
 - C. CACHUMA PROJECT**
 - 1. Cachuma Project Member Units Allocation Request for Federal WY 2022-2023
- 11. REPORTS BY THE BOARD MEMBERS OR STAFF, QUESTIONS OF STAFF, STATUS REPORTS, ANNOUNCEMENTS, COMMITTEE REPORTS, AND OTHER MATTERS AND/OR COMMUNICATIONS NOT REQUIRING BOARD ACTION**
- 12. CORRESPONDENCE: GENERAL MANAGER RECOMMENDS FILING OF VARIOUS ITEMS**
- 13. REQUESTS FOR ITEMS TO BE INCLUDED ON THE NEXT REGULAR MEETING AGENDA:** Any member of the Board of Trustees may place an item on the meeting Agenda for the next regular meeting. Any member of the public may submit a written request to the General Manager of the District to place an item on a future meeting Agenda, provided that the General Manager and the Board of Trustees retain sole discretion to determine which items to include on meeting Agendas.
- 14. NEXT MEETING OF THE BOARD OF TRUSTEES:** The next Regular Meeting of the Board of Trustees is scheduled for **October 18, 2022 at 3:00 p.m.**
- 15. CLOSED SESSION:**
 To accommodate the teleconferencing component of this meeting, the public access line will be closed for up to sixty (60) minutes while the Board of Trustees convenes into closed session. Upon the conclusion of the closed session, the public participation teleconference access will be reopened for the remaining Agenda Items.
- The Board will hold a closed session to discuss the following items:
- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
 [Subdivision (d)(1) of Section 54956.9 of the Government Code – 2 Cases]
 - 1. Name of Case: Adjudicatory proceedings pending before the State Water Resources Control Board regarding Permit 15878 issued on Application 22423 to the City of Solvang, Petitions for Change, and Related Protests
 - 2. Name of Case: Central Coast Water Authority, et al. v. Santa Barbara County Flood Control and Water Conservation District, et al., Santa Barbara County Superior Court Case No. 21CV02432
- 16. RECONVENE INTO OPEN SESSION**
 [Sections 54957.1 and 54957.7 of the Government Code]
- 17. ADJOURNMENT**

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

RESOLUTION NO. 825

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

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

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

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

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

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

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

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

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

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

WE, THE UNDERSIGNED, being the duly qualified President and Secretary, respectively, of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1, do hereby certify that the above and foregoing Resolution was duly and regularly adopted and passed by the Board of Trustees of said District at a Regular meeting held on September 20, 2022 by the following roll call vote:

Jeff Clay, President

ATTEST:

Mary Martone, Secretary to the Board of Trustees

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT,
 IMPROVEMENT DISTRICT NO.1
AUGUST 16, 2022 REGULAR MEETING MINUTES

A Regular Meeting of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1, was held at 3:00 p.m. on Tuesday, August 16, 2022, in-person at 1070 Faraday Street and via teleconference.

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

Trustees Absent: None

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

1. CALL TO ORDER AND ROLL CALL:

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

2. PLEDGE OF ALLEGIANCE:

President Clay led the Pledge of Allegiance.

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

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

4. CONSIDERATION OF RESOLUTION NO. 824: A Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 Authorizing Remote Teleconference Meetings Under the Ralph M. Brown Act in Accordance with AB 361

Mr. Garcia presented Resolution No. 824 and explained that pursuant to amendments to the Brown Act (Assembly Bill 361), public agencies are authorized to conduct remote meetings via video/teleconference during the COVID-19 pandemic, provided certain conditions exist and findings are made. He stated that in order for the Board to continue to meet under the provisions of AB 361, either remotely or under a hybrid approach of remote and in-person attendance, the Board is required to review and reconsider its determinations at least every 30 days. Mr. Garcia reported that because the State of California remains in a declared state of emergency related to the COVID-19 pandemic and because state and local recommendations remain in place to reduce the transmission of COVID-19, approval of Resolution No. 824 would allow the Board to hold meetings under the provisions of AB 361.

No public comment was provided.

1 It was MOVED by Trustee Parker, seconded by Trustee Burchardi, to adopt Resolution No. 824, a
2 Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District,
3 Improvement District No.1 Authorizing Remote Teleconference Meetings Under the Ralph M.
4 Brown Act in Accordance with AB 361.

5 The Resolution was adopted and carried by the following 5-0-0 roll call vote:
6

7 AYES, Trustees: Michael Burchardi
8 Jeff Clay
9 Jeff Holzer
10 Brad Joos
11 Lori Parker

12
13 NOES, Trustees: None

14 ABSTAIN, Trustees: None

15 ABSENT, Trustees: None
16

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

18 There were no additions or corrections to the Agenda.
19

20 6. PUBLIC COMMENT:

21 President Clay welcomed any members of the public participating remotely and offered time for
22 members of the public to speak and address the Board on matters not on the agenda. There was
23 no public comment. Mr. Garcia reported that no written comments were submitted to the District
24 for the meeting.
25

26 7. CLOSED SESSION:

27 The Board adjourned to closed session at 3:04 p.m.
28

29 A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION: Title – General Manager
30 [Section 54957 of the Government Code]
31

32 B. CONFERENCE WITH LABOR NEGOTIATOR: Jeff Dinkin – Stradling, Yocca, Carlson & Rauth;
33 Unrepresented Employee – General Manager [Section 54957.6 of the Government Code]
34

35 8. RECONVENE INTO OPEN SESSION:

36 [Sections 54957.1 and 54957.7 of the Government Code]
37

38 The public participation phone line was re-opened, and the Board reconvened to Open Session at
39 approximately 3:44 p.m.
40

41 Mr. Jeff Dinkin, the District's Employment Legal Counsel, reported that during Closed Session
42 the Board completed the performance evaluation of the General Manager and also discussed a
43 cost-of-living adjustment and compensation adjustment for the General Manager. He reported
44 that following the Board discussion there was a meet and confer with the General Manager, with
45 Mr. Dinkin acting as the Board representative, and the following occurred:
46

47 A. Consideration of General Manager Cost of Living Adjustment (COLA) Increase

48 Mr. Dinkin reported that the Board elected to approve a 5.4% COLA increase effective the
49 first pay period beginning after July 1, 2022, which is the same that all other District
50 employees received pursuant to the Final Budget for Fiscal Year 2022/2023 that was
51 approved by the Board in June 2022.
52

1 B. Consideration and Approval of General Manager Compensation Adjustment

2 Mr. Dinkin also reported that the Board determined to grant the General Manager two
3 weeks of administrative leave to be used by June 30, 2023, with the option of cashing out
4 one of the two weeks if not used by June 30, 2023.
5

6 It was MOVED by Trustee Clay, seconded by Trustee Parker, and carried by a unanimous 5-
7 0-0 roll call vote to approve a 5.4% cost of living adjustment for the General Manager's salary
8 effective the first pay period beginning after July 1, 2022, and to provide two additional
9 weeks of administrative leave to the General Manager to be used by June 30, 2023, with the
10 option of cashing out one of the two weeks if not used by June 30, 2023.
11

12 Mr. Dinkin announced that the Board has requested the memorandum prepared by the
13 General Manager regarding his accomplishments over the previous year be finalized and
14 included in the Board packet for the September meeting as part of the public record.
15

16 9. CONSIDERATION OF THE MINUTES OF THE REGULAR MEETING OF JULY 19, 2022:

17 The Regular Meeting Minutes from July 19, 2022 were presented for consideration.
18

19 President Clay asked if there were any changes or additions to the Regular Meeting Minutes of
20 July 19, 2022 as presented. There were no changes or additions requested.
21

22 It was MOVED by Trustee Parker, seconded by Trustee Burchardi, and carried by a unanimous 5-
23 0-0 roll call vote to approve the July 19, 2022 Minutes as presented.
24

25 10. CONSENT AGENDA:

26 The Consent Agenda Report was provided in the Board packet.
27

28 Mr. Garcia reviewed the Consent Agenda materials for the month of July.
29

30 It was MOVED by Trustee Burchardi, seconded by Trustee Parker, and carried by a unanimous 5-
31 0-0 roll call vote to approve the Consent Agenda as presented.
32

33 11. MANAGER REPORTS - STATUS, DISCUSSION, AND POSSIBLE BOARD ACTION ON THE FOLLOWING
34 SUBJECTS:

35 A. DISTRICT ADMINISTRATION

36 1. Financial Report on Administrative Matters

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

38 Ms. Martone announced that the Financial Statements were emailed to the Board
39 members earlier that afternoon and posted on the District's website in the Board
40 packet materials for any members of the public wishing to follow along or receive a
41 copy.
42

43 Ms. Martone reviewed the Statement of Revenues and Expenses for the month of July.
44 She explained that the District's 2022/2023 fiscal year began on July 1st and the
45 financials reflect the first month of activity for the new fiscal year. She highlighted
46 various line-items related to revenue and expense transactions that occurred during
47 the month and also referenced the Fiscal-Year-to-Date Statement of Revenues and
48 Expenses that provides a budget to actual snapshot for the month of July. Ms. Martone
49 reported that the District revenues for the month of July exceeded the expenses by
50 \$466,224.21.
51

1 b) Approval of Accounts Payable

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

6 The Board reviewed the Warrant List which covered warrants 24651 through 24706 in
7 the amount of \$652,903.94.
8

9 It was MOVED by Trustee Burchardi, seconded by Trustee Parker, and carried by a
10 unanimous 5-0-0 roll call vote to approve the Warrant List for July 20, 2022 through
11 August 16, 2022.
12

13 c) Series 2004A COMB Bond Update

14 Ms. Martone announced that the District made its final payment on the 2004A COMB
15 Bond in the amount of \$225,000. She reported that on August 2, 2022 the District
16 received confirmation from the Bank of New York that the District has satisfied its
17 obligation for the \$3.9 million bond.
18

19 2. Employee Recognitions

20 a) Eric Tambini - 25 Years of Service

21 b) Karen King - 20 Years of Service

22 Mr. Garcia recognized two long-time District employees, Mr. Eric Tambini, and Ms.
23 Karen King, for their 25 and 20 years of service respectively with the District. He
24 provided a brief review of each person's background and responsibilities at the District.
25 Mr. Garcia expressed his gratitude and appreciation for the extraordinary dedication
26 and contributions of these individuals. Members of the Board provided additional
27 remarks expressing their appreciation to Mr. Tambini and Ms. King for their long-term
28 service at the District.
29

30 B. OPERATIONS AND MAINTENANCE

31 1. Motor Control Center and Service Upgrades - Phase 2

32 a) Bid Results Summary

33 b) Award of Contract and Authorization to Execute Contract Documents

34 Agenda Item 11.B. 1.a and b were discussed together.
35

36 The Board packet included an August 16, 2022 Staff Report and Bid Summary for the
37 Motor Control Center and Service Upgrades - Phase 2 project.
38

39 Mr. Eric Tambini, Water Resources Manager, reviewed the staff report for the Motor
40 Control Center and Service Upgrades. He explained that the Request for Bids was
41 issued on July 10, 2022, and six contractors attended the mandatory pre-bid meeting
42 on July 27, 2022. He stated that five bids were received by the August 10, 2022
43 deadline. Mr. Tambini reviewed the bid summary results and indicated that the
44 lowest responsive and responsible bidder was Smith Mechanical-Electrical-Plumbing
45 (Smith MEP) in the amount of \$746,270.
46

47 It was MOVED by Trustee Parker, seconded by Trustee Clay, and carried by a
48 unanimous 5-0-0 roll call vote to authorize the award of the Motor Control Center and
49 Service Upgrade and Replacement Project - Phase 2 to Smith Mechanical-Electrical-
50 Plumbing (Smith MEP) as the lowest responsive and responsible bidder and authorize
51 the General Manager to execute applicable contract documents with Smith MEP in the
52 amount of \$746,270 to complete the Motor Control Center and Service Upgrades -
53 Phase 2 project.

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

A. SUSTAINABLE GROUNDWATER MANAGEMENT ACT

1. Eastern Management Area Update.

The Board packet included the July 21, 2022 Notice and Agenda for the Special Meeting of the Groundwater Sustainability Agency for the Eastern Management Area in the Santa Ynez River Groundwater Basin.

Mr. Garcia stated that he and Trustee Joos attended the July 21, 2022 Special Meeting of the Eastern Management Area (EMA) Groundwater Sustainability Agency (GSA) and reported on the topics discussed which included discussion and approval of the documents for administering written verifications under Executive Order N-7-22 and adoption of a fee for administering requests for written verifications. Mr. Garcia stated that a next major step in the EMA will be the negotiation and formation of a new Joint Powers Authority governance structure for the EMA. Mr. Garcia stated the next Regular Meeting of the EMA GSA is scheduled for August 25, 2022.

B. CENTRAL COAST WATER AUTHORITY

1. Update Regarding CCWA Water Quality.

The Board packet included an August 5, 2022 Central Coast Water Authority (CCWA) Staff Report discussing an Update on a Nitrification Event.

Mr. Garcia reported that the District has not taken any State water at this time due to a nitrification event that has occurred in the CCWA pipeline. He indicated that the nitrification event has caused the District to remain on local supplies from the upland groundwater basin and Santa Ynez River alluvium, which has hindered the District's ability to effectuate the exchange agreement with south coast agencies and utilize the District's proportionate share of Cachuma Project water. Mr. Garcia referred to the CCWA staff report included in the Board packet and discussed actions that CCWA has taken in an attempt to address the nitrification event that began in July. He indicated that similar nitrification issues have occurred in several recent years which presents a serious and ongoing concern for the District. Mr. Garcia reported that the District's operations team continues to evaluate when the District may be able to start taking State water, which is tentatively planned for August 23rd. Mr. Garcia stated that fortunately the District has a diverse water supply portfolio and does not rely solely on State water. Mr. Garcia stated that further information would be provided to the Board as it becomes available.

2. Update Regarding CCWA Mixing with Downstream Water Right Releases.

The Board packet included an April 22, 2022 Santa Ynez River Water Conservation District (SYRWCD) letter to the U.S. Bureau of Reclamation regarding the Draft Environmental Assessment for Central Coast Water Authority Temporary Warren Act Contract.

Mr. Garcia reviewed various background information related to the CCWA Warren Act Contract that allows SWP supplies to be delivered to and conveyed through the Cachuma Project for the benefit of various south coast communities. He also discussed the recent negotiation process that resulted in a new two-year temporary Warren Act Contract between CCWA and the Bureau of Reclamation (USBR). Mr. Garcia explained that in connection with the new Temporary Contract, the National Marine Fisheries Services (NMFS) has imposed new restrictions on the mixing of CCWA water with downstream water rights releases pursuant to the 2002 Settlement Agreement and State Board Water Right Order 2019-0148. He referred to the April 22, 2022 Comment Letter authored by the Santa Ynez River Water Conservation District (SYRWCD) which sets forth serious

1 concerns regarding the new restrictions and prohibitions on mixing which result in water
2 right and water quality impacts for water users downstream of Bradbury Dam. Mr.
3 Garcia also referred to the July 21, 2022 CCWA Memorandum, also included in the Board
4 packet, and explained that CCWA is working with USBR to design a minor modification
5 to the CCWA pipeline near the Bradbury Dam outlet works that will mitigate the
6 downstream impacts caused by the new restrictions. He stated that further information
7 will be provided as it becomes available.
8

9 **C. CALIFORNIA ENDANGERED SPECIES ACT**

10 1. California Endangered Species Act Decisions Affecting Statewide Water Supplies.

11 The Board packet included an August 8, 2022 ACWA Advisory asking the California
12 Supreme Court to review a recent case under the California Endangered Species Act, and
13 a Petition for Writ of Mandate filed by United Water Conservation District against the
14 California Fish and Game Commission.
15

16 Mr. Garcia reported that the Association of California Water Agencies (ACWA) has filed
17 a request for the California Supreme Court to review a recent decision that extends
18 protection to bumblebees under the California Endangered Species Act (CESA) on the
19 basis that bees fall within CESA's definition of fish. ACWA's request for review explains
20 that the recent decision improperly opens the door to defining and listing any invertebrate
21 as a "fish" under CESA, thereby resulting in increased regulatory requirements and
22 compliance costs for water providers and other entities throughout the state. He stated
23 that the Almond Alliance of California is challenging the recent decision to list
24 bumblebees as fish under CESA. Mr. Garcia also reported that the Board packet includes
25 a copy of the Petition for Writ of Mandate filed by the United Water Conservation District
26 against California Fish & Game Commission in relation to the Commission's decision to
27 grant "candidacy" protection under CESA to anadromous (ocean-going) and resident
28 (rainbow) forms of trout (*O. mykiss*) in various regions of southern California. He
29 explained that United's petition challenges the Commission's decision on various
30 grounds, including arguments that the Commission failed to consider relevant evidence
31 in the administrative record. He stated that further information would be provided as it
32 becomes available.
33

34 13. REPORTS BY THE BOARD MEMBERS OR STAFF, QUESTIONS OF STAFF, STATUS REPORTS,
35 ANNOUNCEMENTS, COMMITTEE REPORTS, AND OTHER MATTERS AND/OR COMMUNICATIONS
36 NOT REQUIRING BOARD ACTION:
37

38 The Board packet included a July 29, 2022 Press Release from the Santa Ynez River Water
39 Conservation District regarding scheduled downstream water rights releases from Bradbury
40 Dam; an August 11, 2022 Letter from the Central Coast Water Authority to the Santa Barbara
41 County Water Agency regarding disputed costs charged by the County Water Agency; and the
42 August 2022 Family Farm Alliance Monthly Briefing.
43

44 14. CORRESPONDENCE: GENERAL MANAGER RECOMMENDS FILING OF VARIOUS ITEMS:

45 The Correspondence List was received by the Board.
46

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

48 There were no requests from the Board.
49

50 16. NEXT MEETING OF THE BOARD OF TRUSTEES:

51 President Clay stated that the next Regular Meeting of the Board of Trustees is scheduled for
52 September 20, 2022 at 3:00 p.m.

1 **17. CLOSED SESSION:**

2 The Board adjourned to closed session at 5:54 p.m.

3
4 **A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

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

- 6 1. Name of Case: Adjudicatory proceedings pending before the State Water Resources
7 Control Board regarding Permit 15878 issued on Application 22423 to the City of
8 Solvang, Petitions for Change, and Related Protests
9
10 2. Name of Case: Central Coast Water Authority, et al. v. Santa Barbara County Flood
11 Control and Water Conservation District, et al., Santa Barbara County Superior Court
12 Case No. 21CV02432
13

14 **18. RECONVENE INTO OPEN SESSION:**

15 [Sections 54957.1 and 54957.7 of the Government Code]

16
17 The public participation phone line was re-opened, and the Board reconvened to open session
18 at approximately 6:23 p.m.

19
20 Mr. Garcia announced that the Board met in closed session concerning Agenda Items 17.A.1
21 and 17.A.2, and that there was no reportable action from closed session.
22

23 **19. ADJOURNMENT:**

24 Being no further business, it was **MOVED** by Trustee Parker, seconded by Trustee Burchardi, and
25 carried by a 3-0-0 roll call vote, with Trustees Holzer and Joos absent at the time of the vote, to
26 adjourn the meeting at approximately 6:24p.m.
27
28
29

30 **RESPECTFULLY SUBMITTED,**

31
32
33
34 _____
35 Mary Martone, Secretary to the Board
36

37 **ATTEST:**

38 _____
39 Jeff Clay, President
40

41 **MINUTES PREPARED BY:**

42
43
44 _____
45 Karen King, Board Administrative Assistant

BOARD OF TRUSTEES
SANTA YNEZ RIVER WATER CONSERVATION DISTRICT,
IMPROVEMENT DISTRICT NO.1
September 20, 2022

Consent Agenda Report

CA-1. Water Supply and Production Report. Total water production in **August 2022 (495 AF)** was 26 AF less than total production in July (521 AF), about 50 AF less than the most recent 3-year running average (2019-2021) for the month of **August** (546 AF), and over 100 AF less than the most recent 10-year running average (2012-2021) for the month of **August** (604 AF). These recent and long-term averages for the month of **August** illustrate that generally the District's overall demands and total production have been trending well below historic levels for domestic, rural residential, and agricultural water deliveries due to water conservation, changing water use patterns, and private well installations.

For the month of **August**, approximately **274 AF** was produced from the Santa Ynez Upland wells, and approximately **122 AF** was produced from the 4.0 cfs and 6.0 cfs Santa Ynez River well fields. In addition, as reflected in the Monthly Water Deliveries Report from the Central Coast Water Authority (CCWA), the District took approximately **99 AF** of SWP supplies for the month, all of which was allocated as exchange deliveries. Direct diversions to the County Park and USBR were **3.01 AF**.

The USBR Daily Operations Report for Lake Cachuma in **August** (ending August 31, 2022) recorded the end of month lake elevation at **699.93'** with the end of month storage of **72,077 AF**. USBR recorded total precipitation at the lake of **0.0 inches in August**. For the month, reservoir storage was supplemented with **331.0 AF** of SWP deliveries for South Coast entities. Reservoir evaporation in **August** was **1,002.2 AF**.

Based on the **updated maximum storage capacity of 192,978 AF** (previously 193,305 AF), Cachuma reservoir currently (as of **September 12, 2022**) is at approximately **35.2%** of capacity, with current storage of **67,861 AF** (Santa Barbara County Flood Control District, Rainfall and Reservoir Summary). At a point when reservoir storage exceeds 100,000 AF, the Cachuma Member Units typically have received a full allocation. Conversely, a 20% pro-rata reduction from the full allocation is scheduled to occur in Water Years beginning at less than 100,000 AF, where incremental reductions may occur (and previously have occurred) at other lower storage levels. For the federal WY 2021-2022 (October 1, 2021 through September 30, 2022), the Cachuma Member Units jointly requested an allocation of approximately 83% of the Project's annual operational yield of 25,714 AF. By letter dated September 24, 2021, USBR issued a 70% allocation decision for WY 2021-2022, which equates to 18,000. ID No.1's 10.31% share of this allocation amounts to 1,855 AF (current water year balance is approximately 1,727 AF). In addition to its 2021-2022 allocation, ID No.1 currently holds approximately 2,122 AF of previous years carryover water in the reservoir, subject to evaporation. **By letter dated September 1, 2022, the Cachuma Member Units submitted a joint letter to the County Water Agency and USBR requesting a Cachuma Project allocation of 3,644 AF for federal WY 2022-2023, which translates to a 14% allocation request. If granted by USBR, the allocation to ID No.1 would be approximately 375 AF. USBR has not yet responded to the allocation request.**

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

NMFS 2000 Biological Opinion

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

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

SWRCB Order WR 2019-0148

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

For the month of August, Cachuma Project water releases for fish were approximately 187 AF to Hilton Creek and the outlet works. Notably, the current water rights releases are used conjunctively to satisfy most of the BiOp and State Board Order requirements for fishery protection. As of the end of August 2022, a total of approximately 48,151.3 AF of Cachuma Project water has been released under regulatory requirements for the protection of fish and fish habitat below Bradbury Dam since the year after the last spill in 2011.

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

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

CCWA remains engaged in a variety of matters relating to the SWP, including but not limited to: SWP supplies and ongoing drought conditions; SWP operations; the 2022 Supplemental Water Purchase Program; a potential alternative release point for CCWA mixing with downstream water right releases; and pending litigation against the Santa Barbara County Flood Control and Water Conservation District. CCWA's Board of Directors meeting for the month of August was cancelled and their next regular meeting is currently scheduled for September 22, 2022.

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

UNITED STATES DEPARTMENT OF THE INTERIOR
 U.S. BUREAU OF RECLAMATION-CACHUMA PROJECT-CALIFORNIA

AUGUST 2022

LAKE CACHUMA DAILY OPERATIONS

RUN DATE: September 1, 2022

DAY	ELEV	STORAGE		COMPUTED* INFLOW AF.	CCWA INFLOW AF.	PRECIP ON RES. SURF. AF.	RELEASE - AF.				EVAP AF.	PRECIP INCHES	
		IN LAKE	CHANGE				TUNNEL	HILTON CREEK	OUTLET	SPILLWAY			
	704.49	79,541											
1	704.44	79,457	-84	10.6	12.5	.0	55.1	1.5	21.0	.0	29.5	.260	.00
2	704.38	79,357	-100	5.4	12.4	.0	54.6	1.5	22.0	.0	39.7	.350	.00
3	704.33	79,273	-84	22.7	12.4	.0	56.2	.9	20.0	.0	42.0	.370	.00
4	704.27	79,172	-101	0.9	12.4	.0	54.0	2.0	22.0	.0	36.3	.320	.00
5	704.20	79,054	-118	-0.1	12.4	.0	66.8	1.9	22.0	.0	39.6	.350	.00
6	704.15	78,970	-84	11.2	12.4	.0	63.2	2.0	22.0	.0	20.4	.180	.00
7	704.08	78,836	-134	-12.5	12.4	.0	66.9	2.0	22.0	.0	43.0	.380	.00
8	704.04	78,785	-51	36.1	12.4	.0	43.9	2.0	22.0	.0	31.6	.280	.00
9	703.98	78,685	-100	4.8	12.4	.0	46.6	2.0	37.0	.0	31.6	.280	.00
10	703.89	78,533	-152	-14.8	12.4	.0	56.9	2.0	58.0	.0	32.7	.290	.00
11	703.81	78,399	-134	14.6	12.4	.0	64.5	2.0	59.0	.6	34.9	.310	.00
12	703.73	78,265	-134	15.7	12.4	.0	69.4	4.0	60.0	.6	28.1	.250	.00
13	703.64	78,113	-152	5.0	12.4	.0	69.8	4.4	62.0	.6	32.6	.290	.00
14	703.55	77,964	-149	5.9	12.4	.0	68.8	4.4	61.0	.6	32.5	.290	.00
15	703.47	77,832	-132	-8.1	12.4	.0	36.6	4.5	61.0	.6	33.6	.300	.00
16	703.38	77,683	-149	20.7	12.4	.0	47.8	4.3	97.0	.6	32.4	.290	.00
17	703.25	77,469	-214	4.7	12.3	.0	48.7	4.2	144.0	.6	33.5	.300	.00
18	703.06	77,155	-314	18.2	12.3	.0	55.7	4.1	244.0	.6	40.1	.360	.00
19	702.81	76,742	-413	-4.3	9.6	.0	57.7	3.5	321.0	.6	35.5	.320	.00
20	702.56	76,331	-411	-2.8	11.9	.0	61.9	3.5	322.0	.6	32.1	.290	.00
21	702.32	75,939	-392	9.6	11.8	.0	62.8	3.5	320.0	.6	26.5	.240	.00
22	702.10	75,580	-359	25.2	22.2	.0	51.7	3.5	322.0	.6	28.6	.260	.00
23	701.88	75,221	-359	24.9	23.0	.0	49.0	3.4	322.0	.6	31.9	.290	.00
24	701.65	74,845	-376	16.9	12.0	.0	48.2	3.5	323.0	.6	29.6	.270	.00
25	701.40	74,441	-404	-0.5	1.2	.0	53.4	3.4	320.0	.6	27.3	.250	.00
26	701.16	74,053	-388	20.6	0.0	.0	53.3	4.7	319.5	.6	30.5	.280	.00
27	700.91	73,649	-404	14.0	0.0	.0	64.7	4.6	316.6	.6	31.5	.290	.00
28	700.66	73,245	-404	10.5	0.0	.0	63.3	4.6	315.6	.6	30.4	.280	.00
29	700.42	72,861	-384	25.8	0.0	.0	64.1	4.7	316.6	.6	23.8	.220	.00
30	700.17	72,461	-400	5.4	7.6	.0	63.1	4.7	317.6	.6	27.0	.250	.00
31	699.93	72,077	-384	27.7	8.6	.0	63.7	5.9	316.7	.6	33.4	.310	.00
TOTAL (AF)			-7,464	314.0	331.0	.0	1,782.4	103.2	5,208.6	12.6	1,002.2	9.000	.00
(AVG)		76,789											

COMMENTS:

* COMPUTED INFLOW IS THE SUM OF CHANGE IN STORAGE, RELEASES, AND EVAPORATION MINUS PRECIP ON THE RESERVOIR SURFACE AND CCWA INFLOW.

DATA BASED ON 24-HOUR PERIOD ENDING 0800.

INDICATED OUTLETS RELEASE INCLUDE ANY LEAKAGE AROUND GATES.



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: 9/12/2022

Water Year: 2023

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: > <http://www.countyofsb.org/hydrology>

Rainfall	ID	24 hrs	Storm 0day(s)	Month	Year*	% to Date	% of Year*	AI
Buellton (Fire Stn)	233	0.00	0.00	0.01	0.01	9%	0%	
Cachuma Dam (USBR)	332	0.00	0.00	0.00	0.00	0%	0%	
Carpinteria (Fire Stn)	208	0.01	0.00	0.18	0.18	185%	1%	
Cuyama (Fire Stn)	436	0.00	0.00	0.17	0.17	155%	2%	
Figueroa Mtn. (USFS Stn)	421	0.28	0.00	0.38	0.38	252%	2%	12.5
Gibraltar Dam (City Facility)	230	0.00	0.00	0.02	0.02	27%	0%	12.5
Goleta (Fire Stn-Los Carneros)	440	0.00	0.00	0.08	0.08	101%	0%	
Lompoc (City Hall)	439	0.00	0.00	0.01	0.01	12%	0%	12.5
Los Alamos (Fire Stn)	204	0.00	0.00	0.04	0.04	47%	0%	
San Marcos Pass (USFS Stn)	212	0.00	0.00	0.14	0.14	94%	0%	
Santa Barbara (County Bldg)	234	0.01	0.00	0.21	0.21	380%	1%	
Santa Maria (City Pub. Works)	380	0.00	0.00	0.08	0.08	154%	1%	
Santa Ynez (Fire Stn /Airport)	218	0.00	0.00	0.02	0.02	21%	0%	
Sisquoc (Fire Stn)	256	0.01	0.00	0.11	0.11	131%	1%	

County-wide percentage of "Normal-to-Date" rainfall : **112%**

County-wide percentage of "Normal Water-Year" rainfall : **1%**

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

AI (Antecedent Index / Soil Wetness)

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

Reservoirs

Reservoir Elevations referenced to NGVD-29.

**Cachuma is full and subject to spilling at elevation 750 ft. However, the lake is surcharged to 753 ft. for fish release water. (Cachuma water storage is based on Dec 2013 capacity revision)

Click on Site for Real-Time Readings	Spillway	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)
Gibraltar Reservoir	1,400.00	1,380.24	4,693	1,147	24.4%	-153	-153
Cachuma Reservoir	753.**	697.87	192,978	67,861	35.2%	-2,809	-2,809
Jameson Reservoir	2,224.00	2,205.04	4,848	2,786	57.5%	-40	-40
Twitchell Reservoir	651.50	NA	194,971	NA		NA	NA

[Previous Rainfall and Reservoir Summaries](#)

CIMIS Daily Report

Rendered in ENGLISH Units.

Monday, August 1, 2022 - Wednesday, August 31, 2022

Printed on Thursday, September 1, 2022

Santa Ynez - Central Coast Valleys - Station 64

Date	ETo (in)	Precip (in)	Sol Rad (Ly/day)	Avg Vap Pres (mBars)	Max Air Temp (°F)	Min Air Temp (°F)	Avg Air Temp (°F)	Max Rel Hum (%)	Min Rel Hum (%)	Avg Rel Hum (%)	Dew Point (°F)	Avg Wind Speed (mph)	Wind Run (miles)	Avg Soil Temp (°F)
8/1/2022	0.26 R	0.00	687	16.7	98.0	62.1 Y	77.1 Y	85	24	52 Y	58.3 Y	3.0	72.3	82.4 Y
8/2/2022	0.25	0.00	0	16.8	69.4 Y	60.6	63.6	92	26	84	58.6	2.2 R	51.6 R	83.0 Y
8/3/2022	0.24	0.00	647	17.1	93.5	58.7	71.8	100	34	64	59.1	3.0	72.7	83.2 Y
8/4/2022	0.23	0.00	610	14.7	97.0	60.0	73.5	95	16	52	54.9	3.0 Y	72.2 Y	83.2 Y
8/5/2022	0.21	0.00	605	16.6	91.0	56.9	69.1	99	34	68	58.2	3.1	73.9	83.3 Y
8/6/2022	0.21	0.00	635	16.9	83.8	55.4	67.5	100	45	73	58.7	2.9 Y	69.6 Y	83.2 Y
8/7/2022	0.23	0.00	661	16.1	87.8	54.7	67.9	100	40	69	57.4	2.8 Y	68.2 Y	82.9 Y
8/8/2022	0.23	0.00	651	16.3	86.5	56.2	68.3	100	41	69	57.8	2.9 Y	70.5 Y	82.8 Y
8/9/2022	0.22	0.00	614	16.2	92.0	57.5	68.5	100	33	68	57.5	2.9 Y	70.5 Y	82.8 Y
8/10/2022	0.24	0.00	672	15.5	90.5	54.5	69.3	100	31	63	56.4	3.0 Y	72.1 Y	82.7 Y
8/11/2022	0.21	0.00	621	16.5	84.3	56.5	66.4	100	43	74	58.0	2.9 Y	68.6 Y	82.7 Y
8/12/2022	0.22	0.00	648	15.9	86.2	56.4	67.4	100	40	69	57.1	2.9 Y	69.4 Y	82.6
8/13/2022	0.23	0.00	652	15.3	92.0	54.7	68.9	100	33	63	56.0	2.5 R	60.1 R	82.5
8/14/2022	0.22	0.00	645	15.2	86.1	55.3	65.6	100	37	70	55.7	3.2	76.6	82.6
8/15/2022	0.22	0.00	647	14.8	91.5	54.3	66.8	100	29	66	55.1	2.4 R	57.2 R	82.5
8/16/2022	0.24	0.00	635	13.8	101.8 Y	53.9	72.8	100	14	50	53.2	2.6 Y	62.3 Y	82.5
8/17/2022	0.25	0.00	885 R	14.3	99.1	58.1	- S	95	19	- Q	- Q	4.0	94.9	82.6 Y
8/18/2022	0.23	0.00	767 R	15.7	93.7	55.7	70.9	100	27	61	56.7	3.4 H	80.6 H	82.9 Y
8/19/2022	0.22	0.00	630	15.3	93.2	54.4	66.7	100	31	69	56.0	3.0 Y	71.8 Y	82.9 Y
8/20/2022	0.22	0.00	629	16.3	90.5	54.3	67.3	100	40	71	57.7	2.9 Y	69.3 Y	82.9 Y
8/21/2022	0.21	0.00	628	17.6	87.2	56.1	68.3	100	45	75	59.9	3.0 Y	72.9 Y	82.8 Y
8/22/2022	0.21	0.00	612	16.6	90.5	56.8	68.7	100	35	69	58.2	3.1	73.2	82.8 Y
8/23/2022	0.21	0.00	612	16.0	89.6	55.6	66.5	100	37	72	57.2	3.2	77.3	82.8 Y
8/24/2022	0.22	0.00	624	15.7	92.7	54.1	68.5	100	34	66	56.6	3.0 Y	72.6 Y	82.7 Y
8/25/2022	0.22	0.00	626	15.9	93.0	52.9	69.2	100	34	65	57.1	3.1	73.6	82.7 Y
8/26/2022	0.22	0.00	621	15.4	95.2	54.6	69.0	100	27	64	56.2	3.2	77.2	82.7 Y
8/27/2022	0.21	0.00	616	15.7	89.1	55.2	67.1	100	36	69	56.7	3.2	76.9	82.8 Y
8/28/2022	0.19	0.00	587	15.0	81.1	51.5	63.8	100	46	74	55.4	3.1	74.7	82.7 Y
8/29/2022	0.20	0.00	597	14.3	88.3	48.5	64.6	100	37	69	54.1	2.7 Y	65.9 Y	82.5 Y
8/30/2022	0.19 A	- M	- M	- M	- M	- M	- M	- M	- M	- M	- M	- M	- M	- M
8/31/2022	0.19 A	- M	- M	- M	- M	- M	- M	- M	- M	- M	- M	- M	- M	- M
Tots/Avg	6.85	0.00	623	15.8	90.2	55.7	68.4	99	33	67	56.9	3.0	71.3	82.8

Flag Legend		
A - Historical Average	I - Ignore	R - Far out of normal range
C or N - Not Collected	M - Missing Data	S - Not in service
H - Hourly Missing or Flagged Data	Q - Related Sensor Missing	Y - Moderately out of range
Conversion Factors		
Ly/day/2.065=W/sq.m	inches * 25.4 = mm	(F-32) * 5/9 = c
mph * 0.447 = m/s	mBars * 0.1 = kPa	miles * 1.60934 = km



CENTRAL COAST WATER AUTHORITY

MEMORANDUM

TO: Ray Stokes, Executive Director
Dessi Mladenova, Controller

September 6, 2022

FROM: Christine Forysth, Administrative Assistant

SUBJECT: Monthly Water Deliveries

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

<u>Project Participant</u>	<u>Delivery Amount (acre-feet)</u>
Chorro	187.16
López.....	237.24
Shandon.....	0.00
Guadalupe.....	1.20
Santa Maria.....	282.21
Golden State Water Co.....	0.46
Vandenberg.....	0.00
Buellton	13.07
Solvang	89.62
Santa Ynez ID#1	93.92
Bradbury.....	<u>321.69</u>
TOTAL	1226.57

In order to reconcile these deliveries with the DWR revenue meter, which read 1273 acre-feet, the following delivery amounts should be used for billing purposes:

<u>Project Participant</u>	<u>Delivery Amount (acre-feet)</u>
Chorro	197
López	249
Shandon.....	0
Guadalupe.....	1
Santa Maria.....	286*
Golden State Water Co.....	11*
Vandenberg	0
Buellton	14
Solvang	94
Santa Ynez ID#1	99
Bradbury	<u>322</u>
TOTAL	1273

*Golden State Water Company delivered 11 acre-feet into its system through the Santa Maria turnout. This delivery is recorded by providing a credit of 11 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 99 acre-feet of exchange water.

The exchange water is allocated as follows

<u>Project Participant</u>	<u>Exchange Amount (acre-feet)</u>
Goleta	35
Santa Barbara	24
Montecito	24
Carpinteria	16
TOTAL	99

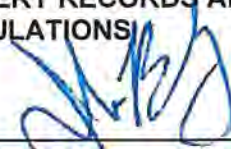
Bradbury Deliveries into Lake Cachuma are allocated as follows:

<u>Project Participant</u>	<u>Delivery Amount (acre-feet)</u>
Carpinteria	0
Goleta	269
La Cumbre	46
Montecito	0
Morehart	7
Santa Barbara	0
Raytheon	0
TOTAL	322

Please note that the delivery target of 451 AF was not achieved. This was due to the flow limitations of the nitrification treatment systems on the pipeline.. CCWA staff will contact each Participant to determine if they would like to increase their delivery request for the month of September.

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

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



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



Central Coast Water Authority

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

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

AUG
25
2022

Board Meeting Canceled

- [Notice of Meeting Cancellation 8/25/2022 Board of Directors \(/files/ffc336146/08252022BoardCancellation.pdf\)](/files/ffc336146/08252022BoardCancellation.pdf)

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

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Central Coast Water Authority

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

SEP
22
2022

Board Meeting

A meeting of the Central Coast Water Authority Board of Directors will be held at 9:00 a.m., on Thursday, September 22, 2022

via URL: <https://meetings.ringcentral.com/j/1494171412>
(<https://meetings.ringcentral.com/j/1494171412>)

or by dialing 1(623)404-9000 and entering access Code/Meeting ID: # 149 417 1412

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2022 Local Agency Biennial Notice

Agenda Item 9. A. 2.

Name of Agency: Santa Ynez River Water Conservation District, Improvement District No.1

Mailing Address: PO Box 157, Santa Ynez, CA 93460

Department Head or Director
Name: Paeter Garcia, General Manager

Phone No: (805) 688-6015

Email: pgarcia@syrwd.org

Contact Person
Name: Mary Martone, Asst. General Manager

Phone No: (805) 688-6015

Email: mmartone@syrwd.org

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its Conflict of Interest Code and has determined that (Check one box):

No amendment is required.

The following amendments are required:
(Check all that apply.)

- Add new positions (including consultants) that must be designated.
- Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions.
- Revise based on updates to disclosure categories
- Revise the titles of existing positions.
- Other (describe) _____

By signing below, you are attesting to the following:

To the best of my knowledge, the agency's code accurately designates all positions that make or participate in the making of the governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding the designated positions are reported. The code includes all other provisions required by Government Code Section 87302.

I have reviewed the Conflict of Interest Code requirements against the positions within my department and as indicated above, I have either determined the revised Conflict of Interest Code attached meets the filing requirements and I authorize the changes or that no amendment is required.

Signature of Department Head or Director

Date

The code is currently under review by the code reviewing body.

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than October 3, 2022 to the following address:

Santa Barbara County
Clerk of the Board of Supervisors
Attn: Chelsea Lenzi
105 E. Anapamu St., Room 407
Santa Barbara, CA 93101

PLEASE DO NOT RETURN THIS FORM TO THE FPPG.

RESOLUTION NO. 801

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

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

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

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

WHEREAS, the Board of Trustees of the District desires to make certain amendments to its Conflict of Interest Code, last updated by District Resolution No. 754 on September 20, 2016.

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

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

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

WE, THE UNDERSIGNED, being the duly qualified President and Secretary of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No. 1, do hereby certify that the above and foregoing Resolution was duly and regularly adopted and passed by the Board of Trustees of said District at a Regular meeting held on September 15, 2020 by the following roll call vote:

AYES, and in favor thereof, Trustees:

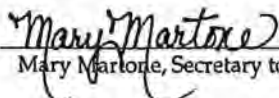
Michael Burchardi
Jeff Clay
Brad Joos
Lori Parker
Lee Rosenberg

NOES, Trustees:
ABSENT, Trustees:



Jeff Clay, President

ATTEST:



Mary Martore, Secretary to the Board

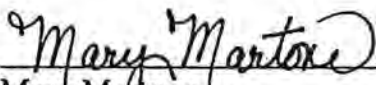
CONFLICT OF INTEREST CODE
FOR THE
SANTA YNEZ RIVER WATER CONSERVATION DISTRICT, IMPROVEMENT DISTRICT No.1

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

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

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

Adopted this 15th day of September 2020.



Mary Martone
Secretary to the Board of Trustees

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

APPENDIX A

DESIGNATED EMPLOYEES / POSITIONS

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

Designated Positions	Disclosure Categories
Trustee	1-5
Treasurer	1-5
General Manager	1-5
Assistant General Manager	1-5
General Counsel	1-5
Consultants ²	1-5

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

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

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

APPENDIX B

CATEGORIES OF DISCLOSURE

CATEGORY 1

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

CATEGORY 2

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

CATEGORY 3

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

CATEGORY 4

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

CATEGORY 5

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

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

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

County of Santa Barbara Elections Division

Official Candidate List for the
November 8, 2022
General Election



PLEASE CONTACT OUR OFFICE AT (805) 568-2200 OR 1 (800) SBC-VOTE IF YOU HAVE ANY QUESTIONS.

**School and Special District Offices
NOT ON BALLOT at
November 8, 2022,
General Election**

Contest

	<i>Res:</i> Not Authorized to Release	<i>Mail:</i> 1193 Oak Glen Rd Santa Ynez, CA 93460	<i>Day:</i> Not Auth to Release <i>Eve:</i> Not Auth to Release	<i>Fax:</i> Not Auth to Release <i>Email:</i> Not Authorized to Release Not Authorized to Release
Qualified:	2 BETTINA "TINA" PADEFORD Appointed Incumbent		Candidate Stmt Filed?	No
	<i>Res:</i> Not Authorized to Release	<i>Mail:</i> PO Box 1414 Santa Ynez, CA 93460	<i>Day:</i> Not Auth to Release <i>Eve:</i> Not Auth to Release	<i>Fax:</i> Not Auth to Release <i>Email:</i> Not Authorized to Release Not Authorized to Release
5545	Santa Ynez River Water, Conservation District- Div. #1	On Ballot: No	Web Title:	
	Qualified: 1 CYNTHIA A ALLEN (No Ballot Designation)		Candidate Stmt Filed?	No
	<i>Res:</i> Not Authorized to Release	<i>Mail:</i> PO Box 719 Santa Ynez, CA 93460	<i>Day:</i> (805)736-2349 <i>Eve:</i>	<i>Fax:</i> <i>Email:</i> cynthiaallenphd@gmail.com Not Authorized to Release
5561	Santa Ynez River Water, Conservation District- Div. #4	On Ballot: No	Web Title:	
	Qualified: 1 ART HIBBITS Director, Santa Ynez River Water Conservation District- Div #4		Candidate Stmt Filed?	No
	<i>Res:</i> Not Authorized to Release	<i>Mail:</i> 1251 E Highway 246 Lompoc, CA 93436	<i>Day:</i> <i>Eve:</i> (805)689-7986	<i>Fax:</i> <i>Email:</i> ahibbits01@gmail.com Not Authorized to Release
5565	Santa Ynez River Water, Conservation District- Div. #5	On Ballot: No	Web Title:	
	Qualified: 1 J. BRETT MARYMEE Incumbent		Candidate Stmt Filed?	No
	<i>Res:</i> Not Authorized to Release	<i>Mail:</i> PO Box 1298 Santa Ynez CA 93460	<i>Day:</i> Not Auth to Release <i>Eve:</i> Not Auth to Release	<i>Fax:</i> Not Auth to Release <i>Email:</i> Not Authorized to Release Not Authorized to Release
5575	Santa Ynez River Water Conservation, Dist., ID 1- At Large	On Ballot: No	Web Title:	
	Qualified: 1 R. BRAD JOOS Retired Fire Chief		Candidate Stmt Filed?	No
	<i>Res:</i> Not Authorized to Release	<i>Mail:</i> 1455 N Refugio Rd Santa Ynez, CA 93460	<i>Day:</i> Not Auth to Release <i>Eve:</i> Not Auth to Release	<i>Fax:</i> Not Auth to Release <i>Email:</i> Not Authorized to Release Not Authorized to Release
5581	Santa Ynez River Water Conservation, Dist., ID 1- Div. 2	On Ballot: No	Web Title:	
	Qualified: 1 JEFF CLAY (No Ballot Designation)		Candidate Stmt Filed?	No
	<i>Res:</i> Not Authorized to Release	<i>Mail:</i> 514 Aebeltoft Way Solvang, CA 93463	<i>Day:</i> Not Auth to Release <i>Eve:</i> Not Auth to Release	<i>Fax:</i> Not Auth to Release <i>Email:</i> Not Authorized to Release Not Authorized to Release
5585	Santa Ynez River Water Conservation, Dist.,ID 1- Div. 3	On Ballot: No	Web Title:	
	Qualified: 1 NICK URTON (No Ballot Designation)		Candidate Stmt Filed?	No
	<i>Res:</i> Not Authorized to Release	<i>Mail:</i> 134 Manzanita Dr Solvang, CA 93463	<i>Day:</i> Not Auth to Release <i>Eve:</i> Not Auth to Release	<i>Fax:</i> Not Auth to Release <i>Email:</i> Not Authorized to Release



**County of Santa Barbara
Elections Division
November 8, 2022, General Election
Special District Offices to be Filled**

District	Offices to be Filled on District's Governing Board	Term Start Date
Carpinteria Sanitary District ^{VENT}	2 Seats Elected At-Large – Full Four-Year Term	December 2, 2022
Carpinteria Valley Water District	Division 1 – 1 Seat – Full Four-Year Term Division 3 – 1 Seat – Full Four-Year Term Division 5 – 1 Seat – Full Four-Year Term	December 2, 2022
Carpinteria-Summerland Fire Protection District	3 Seats Elected At-Large – Full Four-Year Term	December 2, 2022
Casmalia Community Services District	2 Seats Elected At-Large – Short Two-Year Term	December 2, 2022
Cuyama Community Services District	2 Seats Elected At-Large – Full Four-Year Term 2 Seats Elected At-Large – Short Two-Year Term	December 2, 2022
Cuyama Valley Recreation District	3 Seats Elected At-Large – Full Four-Year Term 2 Seats Elected At-Large – Short Two-Year Term	December 2, 2022
Embarcadero Municipal Improvement District	3 Seats Elected At-Large – Full Four-Year Term	December 2, 2022
Goleta Sanitary District	Division 2 – 1 Seat – Full Four-Year Term Division 3 – 1 Seat – Full Four-Year Term	December 2, 2022
Goleta Water District	District 1 – 1 Seat – Full Four-Year Term District 2 – 1 Seat – Full Four-Year Term	December 2, 2022
Goleta West Sanitary District	3 Seats Elected At-Large – Full Four-Year Term	December 2, 2022
Isla Vista Community Services District	2 Seats Elected At-Large – Full Four-Year Term 1 Seat Elected At-Large - Full Two-Year Term	December 2, 2022
Isla Vista Recreation and Park District	2 Seats Elected At-Large – Full Four-Year Term	December 2, 2022
Lompoc Valley Medical Center	3 Seats Elected At-Large – Full Four-Year Term	December 2, 2022
Los Alamos Community Services District	2 Seats Elected At-Large – Full Four-Year Term 1 Seat Elected At-Large – Short Two-Year Term	December 2, 2022
Los Olivos Community Services District	3 Seats Elected At-Large – Full Four-Year Term 1 Seat Elected At-Large – Short Two-Year Term	December 2, 2022
Mission Hills Community Services District	2 Seats Elected At-Large – Full Four-Year Term	December 2, 2022
Montecito Fire Protection District	2 Seats Elected At-Large – Full Four-Year Term	December 2, 2022

District	Offices to be Filled on District's Governing Board	Term Start Date
Montecito Sanitary District	2 Seats Elected At-Large – Full Four-Year Term 1 Seat Elected At-Large – Short Two-Year Term	December 2, 2022
Montecito Water District	3 Seats Elected At-Large – Full Four-Year Term	December 2, 2022
Santa Maria Public Airport District	Division 2 - 1 Seat – Full Four-Year Term Division 4 - 1 Seat – Full Four-Year Term	December 2, 2022
Santa Maria Valley Water Conservation District	Division 3 – 1 Seat – Full Four-Year Term Division 5 – 1 Seat – Full Four-Year Term Division 6 – 1 Seat – Full Four-Year Term	December 2, 2022
Santa Ynez Community Services District	2 Seats Elected At-Large – Full Four-Year Term	December 2, 2022
Santa Ynez River Water Conservation District	Division 1 – 1 Seat – Full Four-Year Term Division 4 – 1 Seat – Full Four-Year Term Division 5 – 1 Seat – Full Four-Year Term	December 2, 2022
Santa Ynez River Water Conservation District Improvement District No. 1	Division 2 – 1 Seat – Full Four-Year Term Division 3 – 1 Seat – Full Four-Year Term 1 Seat Elected At-Large – Full Four-Year Term	December 2, 2022
Summerland Sanitary District	2 Seats Elected At-Large – Full Four-Year Term	December 2, 2022
Vandenberg Village Community Services District	2 Seats Elected At-Large – Full Four-Year Term	December 2, 2022

NOTICE AND AGENDA OF REGULAR MEETING

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

**REGULAR MEETING WILL BE HELD
AT 06:30 P.M., THURSDAY, AUGUST 25, 2022**

Remote participation via ZOOM

Pursuant to AB361, Directors may participate in this meeting via teleconference.
The public can only participate via teleconference. There will be no public meeting location.

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

“Join a Meeting” - Meeting ID: 812 1868 1550 - Meeting Passcode: 320068

- You do NOT need to create a ZOOM account or login with email for meeting participation.
- If your device does not have a microphone or speakers, you can call in for audio with the phone number and Meeting ID listed above to listen and participate.
- In the interest of clear reception and efficient administration of the meeting, all persons participating remotely are respectfully requested to mute their line after logging or dialing-in and remain muted at all times unless speaking.

Video/Teleconference Meeting During Coronavirus (COVID-19) State of Emergency: As a result of the COVID-19 pandemic, this meeting will be available via video/teleconference as recommended by Santa Barbara County Public Health and authorized by Government Code section 54953(e) (State Assembly Bill 361).

Important Notice Regarding Public Participation in Video/Teleconference Meeting: Those who wish to provide public comment on an Agenda Item, or who otherwise are making a presentation to the GSA Committee, may participate in the meeting using the remote access referenced above. **Those wishing to submit written comments instead, please submit any and all comments and materials to the GSA via electronic mail at bbuelow@syrwcd.com.** All submittals should indicate “August 25, 2022 GSA Meeting” in the subject line. Public comments and materials received by the GSA will become part of the post-meeting materials available to the public and posted on the SGMA website.

AGENDA ON NEXT PAGE

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

THURSDAY, AUGUST 25, 2022, 6:30 P.M.
REMOTE PARTICIPATION ONLY

AGENDA OF REGULAR MEETING

- I. Call to Order and Roll Call
- II. Consider findings under Government Code section 54953(e)(3) to authorize continuing teleconference meetings under Resolution EMA-2021-001
- III. Additions or Deletions to the Agenda
- IV. 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 participation 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 item.) *Staff recommends any potential new agenda items based on issues raised be held for discussion under Agenda Item "EMA GSA Committee requests and comments" for items to be included on the next Agenda.*
- V. Review and consider approval of meeting minutes of May 26, June 30, and July 21, 2022
- VI. Review and consider approval of Financial Statements and Warrant List
- VII. Biennial Review of EMA GSA Conflict of Interest Code
- VIII. Update on Compliance with Executive Order N-7-22
 - a. EMA GSA Verification Requests Received
 - b. Contract with GSI
- IX. Update on Governance for EMA GSA
 - a. Received correspondence from Santa Ynez Water Group
- X. Next Regular EMA GSA Meeting, Thursday, September 22, 2022, at 6:30 p.m.
- XI. EMA GSA Committee requests and comments
- XII. Adjournment

[This agenda was posted 72 hours prior to the scheduled special meeting at 3669 Sagunto Street, Suite 101, Santa Ynez, California, and <https://www.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. Notification 24 hours prior to the meeting will enable the GSA to make reasonable arrangements to ensure accessibility to this meeting.]



AB-2201 Groundwater sustainability agency: groundwater extraction permit: verification. (2021-2022)

SHARE THIS:



Date Published: 08/12/2022 12:08 PM

AMENDED IN SENATE AUGUST 11, 2022

AMENDED IN SENATE JUNE 22, 2022

AMENDED IN SENATE JUNE 16, 2022

AMENDED IN ASSEMBLY APRIL 27, 2022

AMENDED IN ASSEMBLY MARCH 17, 2022

CALIFORNIA LEGISLATURE—2021-2022 REGULAR SESSION

ASSEMBLY BILL

NO. 2201

Introduced by Assembly Member Bennett
(Coauthors: Assembly Members Bauer-Kahan, Kalra, and Robert Rivas)
(Coauthors: Senators Allen and Stern)

February 15, 2022

An act to *amend Section 10726.4 of, and to add Article 5 (commencing with Section 13807) to Chapter 10 of Division 7-of of, the Water Code, relating to groundwater.*

LEGISLATIVE COUNSEL'S DIGEST

AB 2201, as amended, Bennett. Groundwater sustainability agency: groundwater extraction permit: verification.

Existing law, the Sustainable Groundwater Management Act, requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources that are designated as basins subject to critical conditions of overdraft to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2020, and requires all other groundwater basins designated as high- or medium-priority basins to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2022, except as specified. Existing law authorizes any local agency or combination of local agencies overlying a groundwater basin to decide to become a groundwater sustainability agency for that basin and imposes specified duties upon that agency or combination of agencies, as provided. *Existing law authorizes a groundwater sustainability agency to request of the county, and requires a county to consider, that the county forward permit requests for the construction of new groundwater wells, the enlarging of existing groundwater wells, and the reactivation of abandoned groundwater wells to the agency before permit approval.* Existing law also authorizes the State Water Resources Control Board to designate a high- or medium-priority basin as a probationary basin under certain conditions for specified purposes.

Existing law requires the State Water Resources Control Board to adopt a model water well, cathodic protection well, and monitoring well drilling and abandonment ordinance implementing certain standards for water well construction, maintenance, and abandonment and requires each county, city, or water agency, where appropriate, not later than January 15, 1990, to adopt a water well, cathodic protection well, and monitoring well drilling and abandonment ordinance that meets or exceeds certain standards. Under existing law, if a county, city, or water agency, where appropriate, fails to adopt

an ordinance establishing water well, cathodic protection well, and monitoring well drilling and abandonment standards, the model ordinance adopted by the state board is required to take effect on February 15, 1990, and is required to be enforced by the county or city and have the same force and effect as if adopted as a county or city ordinance.

This bill would *instead require a county to forward permit requests for the construction of new groundwater wells, the enlarging of existing groundwater wells, and the reactivation of abandoned groundwater wells to the groundwater sustainability agency before permit approval.* The bill would prohibit a county, city, or any other water well permitting agency from approving a permit for a new groundwater well or for an alteration to an existing well in a basin subject to the act and classified as medium- or high-priority unless specified conditions are met, including that it obtains a written verification, from the groundwater sustainability agency that manages the basin or area of the basin where the well is proposed to be located, determining that, among other things, the extraction by the proposed well is consistent with any sustainable groundwater management program established in any applicable groundwater sustainability plan adopted by that groundwater sustainability agency or an alternate plan approved or under review by the Department of Water Resources.

The bill would also require, as condition of approving a permit for a new groundwater well or for an alteration to an existing well in an above-described basin, a county, city, or any other water well permitting agency to, among other things, post the well permit application on its internet website for at least 30 days before approving a permit for a new groundwater well or for an alteration to an existing well. By imposing additional requirements on county, city, or any other water well permitting agency, the bill would impose a state-mandated local program.

This bill would provide various exemptions from the above-described provisions, including exempting a permit for any well that provides less than 2 acre-feet of water annually for domestic use or any well used by a public water supply system or state small water system.

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

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

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 10726.4 of the Water Code is amended to read:

10726.4. (a) A groundwater sustainability agency shall have the following additional authority and may regulate groundwater extraction using that authority:

- (1) To impose spacing requirements on new groundwater well construction to minimize well interference and impose reasonable operating regulations on existing groundwater wells to minimize well interference, including requiring extractors to operate on a rotation basis.
- (2) To control groundwater extractions by regulating, limiting, or suspending extractions from individual groundwater wells or extractions from groundwater wells in the aggregate, construction of new groundwater wells, enlargement of existing groundwater wells, or reactivation of abandoned groundwater wells, or otherwise establishing groundwater extraction allocations. Those actions shall be consistent with the applicable elements of the city or county general plan, unless there is insufficient sustainable yield in the basin to serve a land use designated in the city or county general plan. A limitation on extractions by a groundwater sustainability agency shall not be construed to be a final determination of rights to extract groundwater from the basin or any portion of the basin.
- (3) To authorize temporary and permanent transfers of groundwater extraction allocations within the agency's boundaries, if the total quantity of groundwater extracted in any water year is consistent with the provisions of the groundwater sustainability plan. The transfer is subject to applicable city and county ordinances.
- (4) To establish accounting rules to allow unused groundwater extraction allocations issued by the agency to be carried over from one year to another and voluntarily transferred, if the total quantity of groundwater extracted in any five-year period is consistent with the provisions of the groundwater sustainability plan.

(b) This section does not authorize a groundwater sustainability agency to issue permits for the construction, modification, or abandonment of groundwater wells, except as authorized by a county with authority to issue those permits. A ~~groundwater sustainability agency may request of the county, and the county shall consider, that the county shall~~ forward permit requests for the construction of new groundwater wells, the enlarging of existing groundwater wells, and the reactivation of abandoned groundwater wells to the groundwater sustainability agency before permit approval.

SECTION 1. SEC. 2. Article 5 (commencing with Section 13807) is added to Chapter 10 of Division 7 of the Water Code, to read:

Article 5. Water Wells

13807. (a) In addition to meeting the other requirements of this chapter, a county, city, or any other water well permitting agency shall not approve a permit for a new groundwater well or for alteration of an existing well in a basin subject to the Sustainable Groundwater Management Act (Part 2.74 (commencing with Section 10720) of Division 6) and classified as medium or high priority unless all of the following conditions are met:

(1) The county, city, or any other water well permitting agency obtains written verification from a groundwater sustainability agency managing the basin or area of the basin where the well is proposed to be located that groundwater extraction by the proposed well meets both of the following conditions:

(A) The proposed well would not be inconsistent with any sustainable groundwater management program established in any applicable groundwater sustainability plan adopted by that groundwater sustainability agency or an alternate plan approved or under review by the department.

(B) The proposed well would not decrease the likelihood of achieving a sustainability goal for the basin covered by such a plan.

(2) (A) The permit applicant has provided the permitting agency a written report prepared by a licensed professional that ~~concludes indicates that~~ the extraction by the proposed well is not likely to interfere with the production and functioning of one or more existing nearby wells and is not likely to cause subsidence that would adversely impact or damage nearby infrastructure. ~~As unlikely to cause well interference.~~

(B) As used in this paragraph, ~~licensed~~ the following terms have the following meanings:

(i) "Licensed professional" means a professional engineer licensed pursuant to Chapter 7 (commencing with Section 6700) of Division 3 of the Business and Professions Code, or a professional geologist licensed pursuant to Chapter 12.5 (commencing with Section 7800) of Division 3 of the Business and Professions Code.

~~(3) The county, city, or any other water well permitting agency considers the written report, as well as any public comments received, and accepts the findings of the written report.~~

(ii) "Well interference" means a substantial water level decline in a short time period in a localized area caused by pumping from extraction facilities.

~~(4)~~

(3) The county, city, or any other water well permitting agency posts the well permit application on its internet website for at least 30 days.

(b) Subdivision (a) does not apply to all of the following:

(1) Permits for wells that will provide less than two acre-feet per year of groundwater for individual domestic users.

(2) Permits for wells that will exclusively provide groundwater to public water supply systems or state small water systems as defined in Section 116275 of the Health and Safety Code.

(3) Permits for wells in adjudicated basins identified in Section 10720.8.

(4) Maintenance of a well.

(5) Alterations, replacement, or maintenance to a well pump.

~~SEC. 2.~~ **SEC. 3.** No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.



No Health Risks Related to Unusual Taste and Odor in Water

Dear Valued Customers:

Please know that all water supplies provided by the Santa Ynez River Water Conservation District, Improvement District No.1 (District) **remain safe for consumption and use despite an unusual taste or odor that may be detected by some consumers.** On August 23, 2022, the District transitioned from using local well water to using State Water Project (SWP) supplies for a portion of our service area. Typically every year, the District uses SWP supplies to serve seasonally higher demands, which allows us to relax production from the upland groundwater basin and wells in the Santa Ynez River alluvium. The District receives its SWP supplies from the Central Coast Water Authority (CCWA).

This year, soon after transitioning to SWP supplies, the District received notification from CCWA that high temperatures and drought conditions have created ideal conditions for blue-green algae blooms in surface waters such as the Sacramento-San Joaquin Delta, which serves as a conveyance hub for SWP supplies. Accordingly, the District and other water purveyors that take SWP deliveries from CCWA can be affected by these conditions. The unusual taste or odors that some may detect are due to byproducts of the blue-green algae, namely "Geosmin and MIB" which are naturally occurring compounds **that do not present any health risk to consumers.**

Different individuals may have varying levels of sensitivity to Geosmin and MIB. Some people do not detect any change at all, while others experience an unpleasant taste or odor. Notably, those who are sensitive to the compounds can be very sensitive, where some can detect an earthy or musty taste and/or smell at concentrations down to 5-10 parts per trillion (which translates to 5-10 drops in a stadium full of water).

CCWA is increasing its water monitoring and testing, and has initiated a powder activated carbon dosing process to provide additional treatment of the SWP supplies being delivered to the District. CCWA has indicated that they will continue to provide treatment for Geosmin and MIB until the levels drop to an acceptable level. In the meantime, customers can refrigerate an open pitcher of water or add citrus to minimize taste and odor concerns that may be experienced.

If you have any questions regarding this notice, please contact the District's Water Resources Manager at (805) 688-6015. For additional information regarding SWP supplies, or Geosmin and MIB in particular, please contact the Central Coast Water Authority at (805) 688-2292.

The District proudly serves potable water supplies for domestic, agricultural, commercial, and institutional needs within the communities of Santa Ynez, Los Olivos, Ballard, the Santa Ynez Band of Chumash Indians, and the City of Solvang on a limited basis.

For more information about the District, please visit our website at www.syrwd.org

Paeter Garcia

From: Lisa F. Watkins <lfw@ccwa.com>
Sent: Thursday, September 1, 2022 4:24 PM
Cc: John L. Brady; Ray Stokes; Darin Dargatz
Subject: Taste and Odor/MIB Notice

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

via bcc: CCWA Participants

The purpose of this Notice is to inform you that routine Taste and Order sampling at the Water Treatment Plant on Tuesday August 30, 2022 revealed a MIB concentration of 32 ng/l in the treated water, which is above the CCWA action level of 10 ng/l. Lab results were received on Thursday September 1, 2022 and the Powdered Activated Carbon Treatment System was adjusted to treat for the increased concentrations. Below are lab results over the last month showing the increasing and decreasing concentrations through the State Water Project Canal to CCWA's Water Treatment Plant inlet.

2-Methylisoborneol ng/L	Check 13	Raw	Treated	PAC	Notes
8/30/2022	8	56	32	Yes	PAC increased to 15 mg/L on 9/1/22
8/22/2022	13	21	16	No	PAC started on 8/25/22 @ 5 mg/L
8/15/2022	12	4	2	No	
8/8/2022	9	1	2	No	
8/1/2022	2	2	1	No	
Geosmin ng/L	Check 13	Raw	Treated	Pac	Notes
8/30/2022	15	1.4	<1	Yes	
8/22/2022	127	2.5	<1	No	
8/15/2022	69	2	<1	No	
8/8/2022	39	7	2	No	
8/1/2022	29	1	1	No	

SWP Check 13 is located at the O'Neill Forebay outlet

The travel times from the Water Treatment Plant to your Turnout are as follows:

Request Date:	9/1/2022			Travel Time, days	
	Turn Out	Miles From Plant	Flow Requests		
gpm			MGD		
	Shandon	10.4	0	0.00	0.89
	Tank 2	30.9			1.92
	Chorro	41.6	1,330	1.92	2.39
	Lopez	58.1	1,042	1.50	2.94
	Guadalupe	75.3	0	0.00	3.67
	Santa Maria	79.9	2,083	3.00	3.86
	So Cal	82.6	0	0.00	4.04
	Tank 5	87.7		0.00	4.68
	Vandenberg	92	0	0.00	4.91

Tank 7	111.8		0.00	6.08
Buellton	117.2	100	0.14	6.32
Solvang	120.5	665	0.96	6.48
ID#1	122.3	3,400	4.90	6.58
SYPP	122.8	0	0.00	
TOTAL FLOW		8,620	12.41	

CCWA staff will continue to monitor the source water and treated water will provide updates as the data becomes available.

Respectfully,

Sent for:

John Brady, PE
 Deputy Director
 Central Coast Water Authority
 255 Industrial Way
 Buellton, California 93427
 Office Phone 805-688-2292 ext 228
 Cell Phone 805-680-2116



Lisa Watkins
 Office Manager
 Office: 805-697-5219
 Email: lfw@ccwa.com
 www.ccwa.com

Paeter Garcia

From: Lisa F. Watkins <lfw@ccwa.com>
Sent: Thursday, September 8, 2022 9:58 AM
Cc: John L. Brady; Ray Stokes
Subject: CCWA MIB Update
Attachments: MIB Geosmin 2022 090822.xlsx; Odor.xlsx

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

Bcc: CCWA Water Operations Distribution List
CCWA Participants Distribution List
CCWA Staff

The purpose of this notice is to update you on the activities related to the MIB event, which we notified you of last Friday.

Testing

The available laboratory capacity to analyze for MIB and Geosmin is currently limited. CCWA utilizes the Kern County Water Agency to conduct MIB/Geosmin analysis and they committed to analyzing two CCWA samples once per week (raw and treated). Kern is actively managing MIB in both the Kern River and SWP water supplies.

One commercial laboratory is available for MIB analysis, but turn-around time and costs are high. Eurofins is the laboratory that CCWA currently uses for routine sample analysis and they can analyze for MIB. Their turn-around time is a minimum 2 weeks at a cost of \$200 per sample, as compared to Kern's turn-around time of 4 days at a cost of \$70 per sample. Eurofins does offer a rush analysis at \$400 per sample. However, based on past experiences with Eurofins, results often take well over the promised 48 hours after receipt at the laboratory timeframe and typically takes approximately one week to receive results.

In CCWA staff's search for alternative laboratories for MIB analysis, no other commercial laboratories were identified. However, CCWA staff did find that the Metropolitan Water District of Southern California does have the capability to analyze for MIB, but they analyze on the same timeframe as Kern County.

The analytical results of the WTP samples collected on Tuesday 9/6/22 are not yet available from the Kern County Water Agency Laboratory at the time of this Notice. However, we have updated the attached monitor data table with the DWR results at Check 13. Once we receive the MIB results from the WTP samples, we will issue the updated monitoring data table.

Although a poor indicator for MIB concentrations, please find attached our daily Threshold Odor Number (TON) monitoring data. When we receive the MIB analytical results this Thursday, we will provide another update.

Treatment Optimized

In response to the elevated MIB concentration that we reported last Friday, the dosage rate of the Powdered Activated Carbon (PAC) treatment was tripled. This dosing rate was determined based on CCWA's prior jar testing analysis as well as from data by a special study completed by another State Water Project Contractor. Sufficient PAC stock is onsite at the WTP and more PAC has been ordered. Consumption of PAC is carefully being monitored to ensure all water leaving the plant will receive full PAC treatment. Also, CCWA is maximizing hydraulic retention time within the plant to optimize MIB removal as well.

In addition to algal taste and odor issues, the algal toxin microcystin has been detected at Check 13 at a concentration of 2.11 ng/ml. The EPA finished drinking water 10-day health advisory level is as follows:

US EPA finished drinking water 10-day health advisory levels:

	Children <6 years old	Older children & adults
Microcystins	0.3 µg/L	1.6 µg/L

CCWA staff utilized the CyanoTOX-Calculator Version1, developed by the Water Research Foundation, to estimate the treatment capability of the Polonio Pass WTP on 2.11 ng/ml of microcystin in the raw water. The Calculator estimated that the Polonio Pass WTP can remove 100% microcystin at the raw water concentration of 2.11 ng/ml. The high removal efficiency arises from the relatively high chlorine contact time at Polonio Pass WTP.

Check 13

Currently, water flowing past Check 13 takes an average travel time of 14.6 days to reach the Polonio Pass WTP. As seen in the MIB monitoring data for both Check 13 and the inlet of the Polonio Pass WTP, MIB increases in concentration in transit. This is likely due to the MIB formers being planktonic in nature or in other words, the MIB former are suspended in the water as opposed to being an attached growth on the canal lining. When MIB formers are planktonic, treatment at the source is very problematic due to the need to treat all water rather than treat a specific algae coated location. CCWA has asked DWR if they have determined if the MIB formers are planktonic or if there is a specific location of MIB formation within the canal. Once we have this information, we will update you.

Sent for:

John Brady, PE
Deputy Director
Central Coast Water Authority
255 Industrial Way
Buellton, California 93427
Office Phone 805-688-2292 ext 228
Cell Phone 805-680-2116



Lisa Watkins
Office Manager
Office: 805-697-5219
Email: lfw@ccwa.com
www.ccwa.com

Paeter Garcia

From: Lisa F. Watkins <lfw@ccwa.com>
Sent: Tuesday, September 13, 2022 2:50 PM
Cc: John L. Brady; Ray Stokes
Subject: CCWA MIB Update
Attachments: MIB Geosmin 2022 091322.pdf

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

Bcc: CCWA Water Operations Distribution List
CCWA Participants Distribution List
CCWA Staff

The purpose of this Notice to update you on the current Taste and Odor event.

Monitoring

In terms of monitoring, the Kern County Water Agency informed CCWA this week that the instrument they use to analyze for MIB and Geosmin has broken down and requires repair. This means that the samples collected on Monday September 9, 2022 will be unavailable. However, CCWA staff has identified a commercial laboratory (Weck Laboratories) that can analyze for MIB and Geosmin. Samples were collected from the Polonio Pass Water Treatment Plant (WTP) on Monday September 12, 2022 and shipped to Wecks Laboratories. Results are expected to be received on Monday, September 19, 2022.

The attached table presents the most recent data on MIB, Geosmin and Microcystins. Please note that the Microcystin analysis conducted by CCWA staff are for screening/process control use, as the CCWA laboratory has not been approved by the Environmental Laboratory Accreditation Program (ELAP) for this analytical method.

Treatment

CCWA is continuing to take measures to optimize treatment for MIB removal. Although monitoring data is significantly delayed, CCWA staff is using the data from Check 13 to adjust the dosage rate of Powdered Activated Carbon (PAC) in the upward direction. MIB concentrations are increasing by a factor of 4.7 over the two week travel time from Check 13 to WTP. The PAC dosage rate will increased upward based on the appropriate Check 13 data, escalated by 4.7. PAC dosage rate will only be reduced based on MIB analysis of samples collected at the WTP.

CCWA staff is continuing efforts to maximize treatment for MIB removal and has sufficient PAC stock on hand to continue treatment.

Sent for:
John Brady, PE
Deputy Director
Central Coast Water Authority
255 Industrial Way
Buellton, California 93427
Office Phone 805-688-2292 ext 228
Cell Phone 805-680-2116

2-Methylisoborneol ng	Check 13	Raw	Treated	PAC	Notes
9/6/2022	9			Yes	Kern Laboratory Instrument Failure
8/30/2022	8	56	32	Yes	PAC increased to 15 mg/L on 9/1/22
8/22/2022	13	21	16	No	PAC started on 8/25/22 @ 5 mg/L
8/15/2022	12	4	2	No	
8/8/2022	9	1	2	No	
8/1/2022	2	2	1	No	
Geosmin ng/L	Check 13	Raw	Treated	Pac	Notes
9/6/2022	5			Yes	Kern Instrument Failure
8/30/2022	15	1.4	<1	Yes	
8/22/2022	127	2.5	<1	No	
8/15/2022	69	2	<1	No	
8/8/2022	39	7	2	No	
8/1/2022	29	1	1	No	
Microcystins ng/L	Check 13	Raw	Treated	Pac	Notes
9/6/2022	ND	0.284	ND	Yes	
8/29/2022	1.99	0.651	ND	Yes	RW & TW samples collected on 9/8/22

The Kern County Water Agency Laboratory reported that the instrument they use for analyzing MIB and Geosmin has broken down. Consequently, the data for the samples collected from the Polonio Pass Water Treatment Plant on September 6, 2022 are unavailable.

CCWA staff was able to identify Wecks Laboratories as having the capability for analyzing for MIB and Geosmin. Samples were collected on September 12, 2022 and results are expected to be received on Monday September 19, 2022.

CCWA has maintained dosing Powdered Activated Carbon (PAC) at 15 mg/l. At current plant flows, this translates to approximately one ton of PAC per day.



Santa Barbara County Public Works Department

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

SCOTT D. MCGOLPIN
Director

WALTER RUBALCAVA
Deputy Director

September 1, 2022

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

RE: Cachuma Project Water Year 2022-23 Allocation Request

Dear Mr. Jackson,

Pursuant to Article 3 of the Cachuma Water Service Contract 175r-1802R, as amended by Amendatory Contract No. 175r-1802RA, the Santa Barbara County Water Agency (Water Agency) is to submit a yearly allocation request on behalf of the Cachuma Member Units. Enclosed please find a letter from the Member Units dated September 1, 2022 requesting an allocation of 3,644 acre-feet for Water Year 2022-23.

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

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

Sincerely,

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

Matthew C. Young
Water Agency Manager

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

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



The Cachuma Project Member Units

Goleta Water District
City of Santa Barbara
Montecito Water District
Carpinteria Valley Water District
Santa Ynez River Water Conservation District, Improvement District No. 1

September 1, 2022

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

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

Dear Mr. Young:

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

Pursuant to section 1(a):

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

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

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

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

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

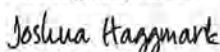
Sincerely,

[Signatures to follow on next page]

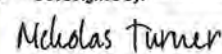
John McInnes
General Manager
Goleta Water District

By: 
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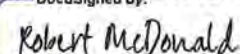
Joshua Haggmark
Water Resources Manager
City of Santa Barbara

By: 
EDFC484A7F6437

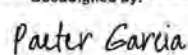
Nicholas Turner
General Manager
Montecito Water District

By: 
7169EC677018477...

Robert McDonald
General Manager
Carpinteria Valley Water District

By: 
83E955853F85424...

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

By: 
E0C6047A6C11409...

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

Enclosures:

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

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

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

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

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

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

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

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

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

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

Paeter Garcia

From: ACWA <acwabox@acwa.com>
Sent: Thursday, September 1, 2022 11:00 AM
To: Paeter Garcia
Subject: Legislative Advisory: Legislative Session Ends with Several Wins for ACWA Members

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

ACWA ADVISORY

LEGISLATIVE | END-OF-SESSION SUMMARY
Sept. 1, 2022

Legislative Session Ends with Several Wins for ACWA Members

AB 2142 Headed to Governor for Signature; AB 2201 Blocked

The 2021-'22 California legislative session ended Wednesday with a flurry of activity on climate change and several major water policy bills, including the passage of ACWA-sponsored AB 2142 and the successful opposition of AB 2201.

ACWA staff lobbied late into the night during the final days of session drafting floor alerts, coordinating coalitions, meeting with legislative staff and lobbying legislative members on the floor on these and other high-priority bills. Unfortunately, SB 1157, related to water-use efficiency, and SB 222, which would establish a low-income water rate assistance program, passed out of the Legislature. ACWA staff will now advocate for Gov. Gavin Newsom to veto the bills.

Below is a summary of some of the key bills that ACWA staff monitored and advocated in support or opposition on behalf of members during the year.

SB 1157 – Indoor Residential Water Use Efficiency Standards

SB 1157 by Senator Bob Hertzberg (D-Van Nuys), narrowly passed out of the Legislature on the final night of session. If signed by the governor, the bill would codify the joint Department of Water Resources (DWR) and State Water Resources Control Board's recommendations to the Legislature for an indoor residential water standard. The bill proposes to maintain the current standard of 55 gallons per capita daily (gpcd) until Jan. 1, 2025, then lower the standard to 47 gpcd until Jan. 1, 2030, when the final standard would be reduced to 42 gpcd. ACWA adopted an oppose-unless-amended position on the bill early in the year and worked throughout the year with the author's office to try to address concerns.

The bill was amended on June 16 to require DWR to complete a new study to assess and quantify the economic benefits of the proposed 2030 standard, and included new variance provisions. However, the bill still presented multiple significant concerns. Additional amendments were made on Aug. 25, which still did not address ACWA's remaining concerns. ACWA and many of its members maintained an oppose-unless-amended position and continued to lobby against the bill in the final days and hours of the legislative session to express strong concerns regarding the proposed standards and the significant costs that would be incurred by water agencies and ratepayers.

The bill was taken up multiple times in the Assembly on Monday, but fell short of passage by a significant margin of seven votes. Following this result, the ACWA coalition fiercely lobbied to ensure assemblymembers maintained their position on the bill. With less than two hours until the end of session, the Assembly reconsidered its vote on this bill, and after several tense minutes, received 42 votes in favor passing the bill back to the Senate where, as one of its final acts of this legislative session, the Senate passed it with 28 voting in favor of the bill. ACWA will urge the governor to veto the bill.

SB 222 - Low-Income Water Rate Assistance

SB 222 by Senator Bill Dodd (D-Napa) would establish a state Water Rate Assistance Program (Program) and a Water Rate Assistance Fund in state law. The purpose of the Program would be to provide financial assistance for both drinking water and wastewater services to low-income residential ratepayers. The State Water Board would implement the Program at the state level, and community water systems and wastewater systems would have a major role in applying the assistance to water bills for enrolled residential customers. The final, Aug. 24 version of the bill proposed an unclear mix of enrollment roles for both the State Water Board (or its local service

provider) and the water and wastewater systems. To date, the state has not identified the funding source for the Program.

ACWA believes a water and wastewater low-income rate assistance program – if designed in a reasonable, efficient and effective manner – is an appropriate approach. However, aspects of the bill raised fundamental concerns and ACWA led a coalition to oppose the bill unless it was appropriately amended.

On Aug. 11, the Assembly approved a set of amendments. However, the ACWA-led oppose-unless-amended coalition lobbied the Assembly for additional amendments to address remaining concerns. Unfortunately, the Assembly barely approved the bill on Aug. 29 with a vote of 42-9 (with 29 of 80 assemblymembers abstaining from voting). The Senate concurred in the Assembly amendments on Aug. 30 by a vote of 31-8. ACWA and the coalition will urge the governor to veto the bill.

AB 2142 - Income Tax Exclusion for Turf Replacement

ACWA's sponsored bill, AB 2142 by Assemblymember Jesse Gabriel (D-Encino) passed out of the Legislature on Aug. 23 having not received any "no" votes throughout the session. The bill would exempt turf rebates from California taxable income for tax years 2022 through 2026. ACWA co-sponsored this bill with the California Water Efficiency Partnership and WaterNow Alliance. ACWA has managed a broad coalition of organizations supporting the bill, including water agencies, local governments, other associations, and environmental groups and will continue to advocate for the bill until it is signed into law.

The bill had broad support on the Senate Floor where it passed with a vote of 40-0 and is on the governor's desk awaiting signature.

AB 2201 – Groundwater Extraction Permit

AB 2201, a high-profile groundwater bill by Assemblymember Steve Bennett (D-Ventura), died in the final hours of session. ACWA worked extensively throughout the year to try and address concerns with the bill, which would have substantively changed how applications for certain new or expanded groundwater wells in medium- or high-priority groundwater basins were reviewed and approved.

Among other things, the bill would have given groundwater sustainability agencies (GSAs) an express role in the permit process. GSAs would have been required to make certain findings related to whether a proposed well was consistent with the local groundwater sustainability plan. Additionally, the bill would have potentially required a California Environmental Quality Act (CEQA) analysis for each well application and possibly created legal liability for GSAs and local permitting agencies.

ACWA lobbied against the bill up to the end of session, meeting with legislative offices in the final days to express strong concerns regarding the bill's impact on groundwater management. Ultimately, the bill never received a final vote in the Assembly and failed to advance to the governor's desk.

SB 1205 – Water Rights: Appropriations

SB 1205 by Senator Ben Allen (D – Santa Monica) passed out of the Legislature on the final day of the session. The bill would direct the State Water Board to promulgate regulations related to developing a water availability analysis as part of the water rights application process. The regulations would specifically detail how potential effects of climate change should be considered in the analysis. A water availability analysis, which applicants must include as part of a water rights application, details how much flow is available for appropriation. Existing law does not detail what must be included in the analysis. This can lead to extensive back-and-forth between applicants and State Water Board staff, potentially delaying the application process.

If signed by the governor, SB 1205 would improve this process by establishing a uniform methodology for calculating water available for appropriation.

ACWA was involved in negotiations with the author over concerns about the bill's potential to impact existing water right holders and applications currently pending with the State Water Board. ACWA successfully obtained amendments to specify that the regulations would not apply to current water right holders and that the development of regulations would not delay pending water right applications.

SB 1205 is on the governor's desk awaiting signature.

AB 2419 - Federal Infrastructure Investment and Jobs Act

AB 2419 by Assemblymember Isaac Brian (D – Los Angeles) would have required that 40% of funds from the federal Infrastructure Investment and Jobs Act (IIJA) and other federal funds be directed to disadvantaged communities. While ACWA supports funding for disadvantaged communities, the bill would have established a mandate that would have been difficult for state agencies to achieve and that would have prematurely codified a federal goal, the Justice40 Initiative, which was established by a Biden Administration Executive Order.

ACWA advocated extensively throughout the year in opposition to AB 2419, seeking amendments to make the bill a goal only that mirrors the federal Justice40 Initiative. While ACWA offered amendments to the bill, ultimately AB 2419 still presented issues and ACWA advocated against the bill in the Senate Appropriations Committee, where it died on Aug. 11.

AB 1931 - Lead Service Lines

ACWA opposed AB 1931 by Assemblymember Luz Rivas (D-San Fernando Valley) because it would have set forth extensive new requirements related to lead service replacements at the same time that the Biden Administration is strengthening recent changes to the federal Lead and Copper Rule on the same issues. Based in part on ACWA's opposition, the Senate Environmental Quality Committee suggested deletion of most of the bill and the addition of new language. The new version of the bill still raised concerns and ACWA's State Legislative Committee moved to an oppose-unless-amended position. ACWA advocated consistent with that position, and the Assembly Appropriations Committee held the bill when it took up the suspense calendar in August.

Budget Bills

The Legislature passed a pair of budget bills on the last day of the legislative session, AB 179 Budget Act of 2022 (Ting, D-San Francisco) and AB 211 Public Resources Trailer Bill (Committee on Budget), that allocate additional funding for drought, water infrastructure, and natural resources. The bills include several categories that ACWA has been advocating in support of for several years. This includes:

- \$200 million for recycled water projects
- \$200 million for watershed climate resilience grants
- \$150 million for the Wildlife Conservation Board's nature-based solutions
- \$122 million from the General Fund for multibenefit projects and programs that support aquatic habitat and drought resilience
- \$100 million for the Oroville pump storage project
- \$75 million for the Save Our Water campaign, including \$3.75 million for local outreach campaigns
- \$56 million for implementation of the Sustainable Groundwater Management Act
- \$44 million for water rights modernization
- \$40 million for San Joaquin Valley floodplain restoration

ACWA will continue to advocate for additional funding for water infrastructure in the coming year.

Questions

For questions about these bills and ACWA State Legislative advocacy, please contact ACWA Director of State Relations [Adam Quiñonez](#) at (916) 441-4545.

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Monthly Briefing

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

Feds' Colorado River Deadline Passes Water Users, States Scramble to Avoid Crisis

A mid-August deadline established by the Commissioner of the Bureau of Reclamation for Colorado River Basin states to come up with plans to avoid a looming crash on the river came and went without any substantive actions proposed by those states. However, a timely infusion of \$4 billion by the federal government may provide funding and buy time for Basin water users to develop voluntary efforts to reduce water use and allow Lakes Mead and Powell water levels to stabilize and avoid the river from a calamitous crash in the coming years.

Interior Sets '23 Ops for Powell & Mead

As the worsening drought crisis continues to impact communities across the West, the Department of the Interior on August 16 announced urgent action to improve and protect the long-term sustainability of the Colorado River System, including commitments for continued engagement with impacted states and Tribes.

"The worsening drought crisis impacting the Colorado River Basin is driven by the effects of climate change, including extreme heat and low precipitation," said Department of Interior Deputy Secretary Tommy Beaudreau.

The Bureau of Reclamation (Reclamation) released the Colorado River Basin August 2022 24-Month Study, which sets the annual operations for Lake Powell and Lake Mead in 2023 in light of critically low reservoir conditions.

Prolonged drought and low runoff conditions accelerated by climate change have led to historically low water levels in Lakes Powell and Mead. The decline could disrupt hydroelectric power production and water deliveries to cities and farms.



Glen Canyon Dam in Arizona holding back Lake Powell.
Photo courtesy of U.S. Bureau of Reclamation.

"Every sector in every state has a responsibility to ensure that water is used with maximum efficiency. In order to avoid a catastrophic collapse of the Colorado River System and a future of uncertainty and conflict, water use in the Basin must be reduced," said Interior Assistant Secretary for Water and Sci-

ence Tanya Trujillo. "The Interior Department is employing prompt and responsive actions and investments to ensure the entire Colorado River Basin can function and support all who rely on it."

2023 Operations of Lake Powell and Lake Mead

Given the 23-year ongoing historic drought and low runoff conditions in the Colorado River Basin, downstream

Continued on Page 2

STORIES INSIDE.....

	Page #
President Signs Massive Health Care / Climate / Tax Bill into Law—Includes \$4 Billion for Western Drought	5
Drought Persists in Much of the West—Monsoons Bring Relief to Southwest Region	8
Crippling California Drought Continues—Governor Unveils New Water Supply Strategy	9
Federal Government Curtails Klamath Project Water Deliveries	11
Buzz, Buzz, Buzz Goes the Bumblebee—Alliance Weighs in on California ESA Case	12
Republican Efforts to Reform NEPA	13
Applegate Sworn in as USGS Director	13
Donor Support	13

Colorado River Crisis (*Continued from Page 1*)

releases from Glen Canyon and Hoover Dams – which created Lakes Powell and Mead – will be reduced again in 2023 due to declining reservoir levels. In the Lower Basin, the reductions represent the second year of additional shortage declarations, demonstrating the severity of the drought and critically low reservoir conditions.

Under the 2023 Operations Plan, Glen Canyon Dam will be operated by limiting releases - with a minimum of 7.0 million acre-feet (MAF) - to protect Lake Powell from declining below 3,525 feet at the end of December 2023.

Lake Mead will operate in its first-ever Level 2a Shortage Condition in calendar year 2023. The projected Lake Mead elevation of 1,047.61 feet requires shortage reductions and water savings contribution for the Lower Basin States and Mexico, pursuant to Minute 323.

Arizona will face cuts of 592 thousand acre-feet (TAF), which is approximately 21% of the state's annual apportionment. Nevada's reductions will be 25 TAF (8% of the state's annual apportionment) and Mexico faces cuts of 104 TAF (7% of the country's annual allotment).

There is no required water savings contribution for California in 2023 under this operating condition.

Reclamation will now begin efforts to modify low reservoir operations at both Lake Powell and Lake Mead to be prepared to reduce releases from these reservoirs in 2024 to address continued drought and low runoff conditions in the Basin.

Call for Basin-Wide Conservation

In recent months, Reclamation has shared updated information documenting the increasing risks that will continue to impact Lake Powell and Lake Mead. The analysis shows, depending on Lake Powell's inflow, that the additional water or conservation needed ranges from 600 TAF to 4.2 MAF annually.

Commissioner Touton last June testified before the U.S. Senate Committee on Energy and Natural Resources and called on water users across the Basin to take actions to prevent the reservoirs from falling to critically low elevations that would threaten water deliveries and power production.

"We need to see the work. We need to see the action," Commissioner Touton said at the time. "I ask Congress today to keep pushing us back to the table and I ask our partners to stay at the table till the job is done."

The states failed to meet the mid-August deadline set by Commissioner Touton for them to propose 15% to 30% cuts to their water use. Reclamation officials said they still have faith the states will reach a deal if given more time.

Reclamation did not direct mandatory water cuts at that time but announced its intent to immediately initiate a number of administrative actions in the Basin. The agency is also undertaking preliminary work to develop the post-2026 strategies and operations, as several reservoir and water management decision documents expire at the end of 2026.

Proposed Upper Basin Actions

In the Upper Basin, Reclamation will take administrative actions needed to authorize a reduction of Glen Canyon Dam releases below 7 MAF per year, if needed, to protect critical infrastructure at Glen Canyon Dam.

The agency intends to accelerate ongoing maintenance actions and studies to determine and enhance projected reliability of the use of the river outlet works (commonly referred to as the bypass tubes) at Glen Canyon Dam for extended periods. Additional technical studies will be performed to determine if physical modifications can be made to Glen Canyon Dam to allow water to be pumped or released from below currently identified critical and dead pool elevations.

Reclamation will also continue to work with the Basin states, Basin Tribes, stakeholders and partners to be prepared to implement additional substantial releases from Upper Basin Reservoirs to help enhance reservoir elevations at Lake Powell under the Drought Contingency Plan's Drought Response Operations Agreement.

In both the Upper and Lower Basins, Reclamation intends to invest in system conservation and voluntary agreements, which could benefit from \$4 billion provided by the Inflation Reduction Act (IRA) signed into law by President Biden last month (*see related Story, Page 5*). Reclamation will also consider other operational actions to establish flexibility in operations at all Basin facilities.

"Reclamation remains fully committed to working in a consensus manner across the Upper and Lower Basins, with Tribes, and with the country of Mexico," said Commissioner Touton. "I am confident that, by working together, we can achieve meaningful change toward a sustainable future for the river that serves as the lifeblood of the American West."

Proposed Lower Basin Actions

In the Lower Basin, Reclamation will take administrative actions needed to further define reservoir operations at Lake Mead, including shortage operations at elevations below 1,025 feet to reduce the risk of Lake Mead declining to critically low elevations.

The agency will also prioritize and prepare for additional administrative initiatives that would ensure maximum efficient and beneficial use of urban and agricultural water, and address evaporation, seepage and other system losses in the Lower Basin. Reclamation will further study to ascertain if physical modifications can be made to Hoover Dam to allow water to be pumped/released from elevations below currently identified dead pool elevations.

"The solution to our challenges relies on the bedrock of a century of collaboration and partnership in the Colorado River Basin. But as water stewards, it is our responsibility to protect the system and the millions of Americans who depend on it,"

Continued on Page 3

Colorado River Users React (Cont'd from Pg 2)

said Commissioner Touton. "Today, Reclamation starts the process on actions we can take to deliver on those responsibilities."

The 7 Colorado River Basin states and the federal government have struggled to reach a consensus on what to do. Reclamation appears to be ready to move forward on its own but will continue to talk to everybody about what the process is. Not everyone is satisfied with that approach.

Response from Upper Basin Interests

The Upper Division States of Colorado, New Mexico, Utah, and Wyoming, through the Upper Colorado River Commission (UCRC), in July delivered a letter to Reclamation that included a "5-Point Plan".

"The Upper Division States recognize that all Basin States and water use sectors need to participate and collaborate on solutions that can bring the system into balance," the letter states.

The 5-Point Plan outlines additional actions and tools to help protect the Upper Basin's critical infrastructure, which the UCRC admits "are naturally limited" due to the shrinking supply of the river, depleted reservoir storage, and also due to previous drought response actions taken in the Upper Basin.

Through the Upper Basin Drought Response Agreement, approximately 1/8 of Flaming Gorge Reservoir will be drained, with the water going to Lake Powell. Targets for next year's releases are also being discussed by the Upper Colorado River Commission. Reservoirs like Flaming Gorge, Blue Mesa and Navajo were originally designed to protect the Upper Basin and help meet its Colorado River Compact obligations, for its own economic benefit.

"Those reservoirs are already low, and some – like Navajo – are not even able to deliver water," said Andy Mueller, the general manager of the Colorado River District. "There are very few options up there, and draining those reservoirs is a very frightening option."

In rural Colorado, there isn't much water available to conserve. The largest irrigation district in the Upper Basin, the 500 TAF Uncompahgre Valley Water Users Association, already took a 150 TAF cut this year because of a light snowpack (*Writers on the Range*).

"The runoff just isn't there," says General Manager Steve Pope.

Lower Basin State, Urban and Tribal Responses

Reaction from Lower Basin states water users was understandably mixed, depending on who is facing river cuts next year, and who isn't.

Southern Nevada Water Authority (SNWA) sent a strongly worded letter to the administration, demanding action on several fronts. These actions included creating "beneficial use criteria for Lower Basin water users, eliminating wasteful and antiquated water use practices and uses of water no longer appropriate for this Basin's limited resources", and developing criteria for "managing facilities, reservoirs and projects for health and human safety operations in order to create certainty and predictability in the face of further reservoir declines."

SNWA officials are not happy with the lack of progress in the state negotiations.

"I think we really need more specificity as to the nature of a unilateral federal action in order to motivate the states," SNWA general manager John Entsminger told the *Las Vegas Review-Journal*.

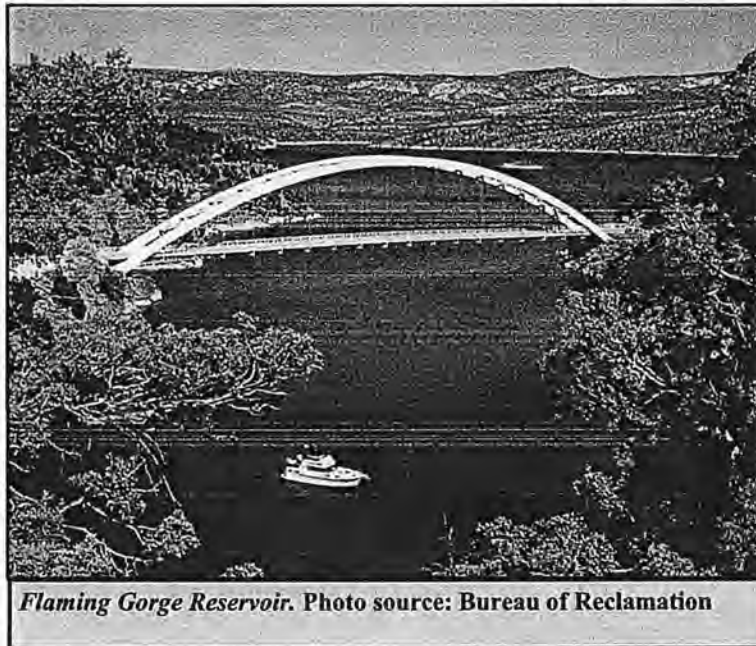
The failure to move forward on a longer-term plan to firm up water supplies also didn't sit well with the Gila River Indian Community, according to the *Arizona Republic*. In December 2021, Gila River and the Colorado River Indian Tribes signed an agreement to leave a combined 179 TAF of their river allotment in Lake Mead as a way to prop up the reservoir.

"The Community has been shocked and disappointed to see the complete lack of progress in reaching the kind of cooperative basin-wide plan necessary to save the Colorado River system," said Gila River Governor Stephen Roe Lewis.

Arizona Department of Water Resources Director Tom Buschatzke and Central Arizona Project (CAP) general manager Ted Cook said in a written statement that Arizona and Nevada had put forward a proposal that called for reductions of 2 MAF in the Lower Basin and Mexico. That proposal was rejected.

Democratic Sen. Mark Kelly criticized Colorado River Basin states for failing to propose significant cuts to their share of river water, arguing that his state of Arizona should not bear the brunt of future shortages.

"We do have the tools in place. What we don't have are the



Flaming Gorge Reservoir. Photo source: Bureau of Reclamation

Continued on Page 4

Lower Basin Reaction (Cont'd from Pg 3)

partnership right now with other states," Senator Kelly said in an interview on CNN'S "State of the Union." "Arizona has made an offer to put more and leave more water up in Lake Mead by far than any other state. We need the other Upper and Lower Basin states to step up and do their part."

The Metropolitan Water District of Southern California put an emergency water conservation declaration in place this past June, directing six million residents to limit outdoor watering to one day per week or stay within a limit of 55 gallons per person per day.

"To date, Metropolitan and its member agencies lead the nation in investments in water recycling, stormwater capture, and brackish groundwater and seawater desalination," said Peter Nelson, the Chairman of the Colorado River Commission of California, in a public statement.

Urban areas across Southern California will likely also be expected to further double down on conservation, including removing more lawns and installing water-efficient appliances.

Response from Lower Basin Ag Interests

Water managers and producers in Yuma, Arizona have proposed a "Save the River" program that relates to 925,000 acres of ag production land in Arizona and California.

"If you can keep one acre-foot per acre of the water used on this land behind Hoover Dam, that's almost 1 MAF of water," said Wade Noble, Coordinator for the Yuma County Agricultural Water Coalition. "Lower Basin ag is the target; we should be the ones that come up with an ag solution."

The Yuma ag coalition is proposing a reduction in water order that would not necessarily equate to a fallowing of agricultural land.

"What the farmer does to make up the one acre-ft per acre is up to him or her," said Mr. Noble. "The districts will work with the farmer."

The Yuma group also wants the ability to develop additional food production with less water so they can recover the food supply.

Imperial Irrigation District (IID) in a press statement noted its appreciation for Reclamation's work and that of its partners as all parties collectively attempt to reach an accord that addresses the severe drought on the Colorado River.

"The actions announced by the Commissioner will impact both the Upper and Lower Basins," IID President James Hanks said in a statement. "IID looks forward to learning more details about the support for investing in system conservation and voluntary agreements in the Lower Basin and the administrative actions needed to further define reservoir operations at Lake Mead, including shortage operations."

Since 2003, IID – a senior water right holder on the Colorado River – has conserved more than 7 MAF of water in support of California's water supply resiliency. However, IID is concerned that impacts to national food production and the local economy cannot be sacrificed with even more conservation.

"When you start cutting back, be careful what you ask

for," IID General Manager Enrique Martinez told the *Desert Sun*. "IID's water, 97% of that is for agriculture, that's creating food for people, for cattle, you've got dairy and other products being created for many parts of the state and nation. You've got to keep that in mind, and keep listening to the farmers, because ultimately, you don't want to get to the point of creating a food crisis to solve a water crisis."

Coalitions Coalesce

In the days and weeks following Reclamation's mid-month announcement of Colorado River 2023 operating guidelines, which coincidentally occurred within one day of President Biden signing the IRA legislation, coalitions representing various demand sectors weighed in with Reclamation, sharing concerns and suggestions.

"Things are tense, but we believe the \$4 billion in the IRA provides reasons for Reclamation not to come out of the gate with mandatory curtailments as their first move," said Dan Keppen, Family Farm Alliance Executive Director.

Alliance representatives last month met virtually with Interior Assistant Secretary Tanya Trujillo and representatives from Reclamation's Commissioner's office to discuss Colorado River developments, and specifically, how the \$4 billion in IRA funds will be spent.

Meanwhile, water providers in Denver, Colorado Springs, Aurora, Pueblo, Las Vegas and a Southern California umbrella group all pledged to introduce or speed up programs to reduce nonfunctional turf grass by 30%, increase water reuse and recycling, and share successful conservation strategies. The groups shared a copy of a recently signed Memorandum of Understanding (MOU) with Commissioner Touton.

"We live in a semiarid climate, and we recognize that persistent drought will continue to be an issue," Jennifer Jordan, a spokeswoman for Colorado Springs Utilities, told the *Colorado Sun*. "We believe vibrant communities can be sustained through more efficient landscaping and more efficient water use practices, and we can continue to accommodate growth if we are wise about our water use."

A conservation coalition in Colorado does not believe this is enough.

"Unless Denver Water pledges to divert less water, nothing changes," Gary Wockner of Save The Colorado, which has fought multiple diversion and dam projects and seeks to restore more natural flows to Western river basins, told the *Colorado Sun*. "The only action that will put more water in the river is to divert less water out of the river."

A coalition of agricultural organizations – including the Family Farm Alliance- also offered their support, assistance and counsel for the immediate implementation of drought funding from the IRA in a letter sent to Interior Secretary Deb Haaland and Commissioner Touton.

The letter identified some key principles including, a recommendation that Reclamation should quickly release a Notice of Funding Availability with guidance to water managers currently developing drought response proposals and urgently

Continued on Page 7

Page 4

President Signs Massive Health Care/Climate/Tax Bill into Law

\$459 billion package includes \$4 billion to fight Western drought

President Biden on August 16 signed the \$459 billion Inflation Reduction Act (IRA) – a massive health care, climate and tax bill – into law. Much of the spending goes to climate programs.

“The Inflation Reduction Act invests \$369 billion to take the most aggressive action ever — ever, ever, ever — in confronting the climate crisis and strengthening our economic — our energy security,” President Biden said at the bill signing ceremony.

The White House is preparing for a much larger celebration after Labor Day, on September 6, when Americans are expected to pay more attention to what’s at stake in the fall midterm elections (*Washington Post*).

House Democrats on August 12 voted 220-207 to clear the bill, with no Republicans joining Democrats in supporting the act. Senate Democrats passed the bill five days earlier, by a 51-50 margin, with Vice President Kamala Harris breaking the tie.

“This process hasn’t been easy, but Democrats promised the American people big, bold action on the priorities that matter to working families,” said Senator Ron Wyden (D-OREGON) after the bill passed the Senate. “I’m proud to say we just delivered.”

Senator Kyrsten Sinema (D-ARIZONA) was the key vote in the Senate, where she helped secure \$4 billion of funding intended to address the Western drought crisis.

“We appreciate the determination of Senator Kyrsten Sinema and her colleagues to secure substantial new funding for drought-related priorities in the Colorado River Basin, which supports 5.7 million acres of irrigated agriculture including most of the nation’s winter vegetables as well as other high-value foods such as citrus and melons,” Western Growers President and CEO Dave Puglia, said in a statement.

Republicans sharply opposed the massive package, which they claim is financed largely by tax increases.

“This bill, the Inflation Reduction Act (despite multiple studies showing it won’t reduce inflation) is not transformational,” Rep. John Curtis (R-UTAH) wrote in an August opinion piece. “The only transformational thing about the Democrats’ tax and spending spree is how it will raise taxes and give the federal government massive command and control over our economy and in people’s lives.”

The American Farm Bureau Federation (AFBF) praised funding for the conservation programs but criticized the bill’s tax provisions.

“Farmers and ranchers support voluntary, market-driven programs that help the environment while ensuring farms

remain economically sustainable,” Zippy Duvall, AFBF’s president, said in a statement, but also noted that he “has serious concerns about the proposed increase in taxes on American businesses at a time when the country is entering a recession.”

The legislation represents the largest investment in addressing climate change in U.S. history, allows Medicare to negotiate with pharmaceutical companies on the costliest prescription drugs and extends health care subsidies through the 2024 election.

More Dollars for Interior and EPA

The overall bill would provide tax certainty for clean energy technologies, including renewables, energy storage, nuclear and carbon capture, among others. It also includes a methane fee on oil and gas operations, as well as a host of provisions directing more lease sales on public lands and waters for fossil fuel development as Interior also ramps up leasing for offshore wind (*E&E Daily*).

The Fish and Wildlife Service (FWS) would get an additional \$125 million for developing and implementing recovery plans for species listed under the Endangered Species Act. FWS would get another \$121.25 million to make direct expenditures, award grants, and enter into contracts and cooperative agreements for the purposes of rebuilding and restoring units of the National Wildlife Refuge System and state wildlife management.

EPA would receive billions of dollars to aid in the fight against climate change. The legislation contains more than \$4.5 billion intended to track and cut emissions of conventional air pollutants, as well as greenhouse gases.



Senator Krysten Sinema (D-ARIZONA).
Photo source: Office of Senator Sinema

USDA Programs

What is in play in the bill for U.S. farmers, ranchers and forestland owners?

More than \$20 billion would be made available to farmers and ranchers to give them the climate-smart agriculture tools they need to address the climate crisis.

“Given that existing conservation programs are oversubscribed by as much as 3 to 1, these funds would help farmers and ranchers implement and expand conservation practices that reduce potent greenhouse gases, such as methane, while increasing the storage of carbon in their soil and trees,” said

Continued on Page 6

Biden Signs Reconciliation Bill (*Cont'd from Pg. 5*)

Ernie Shea, President of Solutions from the Land.

The nearly \$20 billion for the USDA conservation programs allocates funds for existing programs like the Environmental Quality Incentives Program and the Regional Conservation Partnership Program to provide financial and technical assistance to private landowners to voluntarily implement conservation practices on agricultural land.

The boost in conservation programs would affect the next farm bill, either by temporarily increasing the budget baseline heading into the legislation or by setting a tone for the bill's priorities. Any budget baseline effect would be temporary, however, as the increases run out in fiscal year 2027, before the farm bill expires.

Democrats and environmental lobbyists are hoping that the additional spending will smooth the way for a more climate-focused farm bill next year. However, some Senate Republicans have predicted a vigorous debate if lawmakers try to add specific climate-related conservation funding to the farm bill.

"If they go down this road, we very well might be looking at reconciliation as the only way future farm bills get written," Sen. John Boozman (R-Ark.), the ranking member on the Senate Ag Committee, told *Bloomberg*. "Whoever holds the pen wields the fate for vital programs that farmers, ranchers, and foresters depend on."

Forestry Provisions

The IRA appropriates a total of \$4.9 billion in spending on various forestry programs, which will remain available through September 30, 2031. The Act includes funding for activities on National Forest Lands, including hazardous fuels reduction projects within the wildland urban interface, vegetation management projects, Forest Service NEPA reviews, and protection of old-growth forests.

The IRA also includes funding—subject to a 20 percent non-federal cost share (but with authority to waive that cost-share for climate mitigation and forest resilience practices for "underserved forest landowners") - payments to private landowners to implement practices that increase carbon sequestration, grants for "wood innovation" or for hauling materials from fuels reduction projects, and tree planting and related activities.

Tax Implications

The IRA contains a number of tax and spending provisions impacting a broad range of businesses and individuals. These changes include a 15% corporate minimum tax, a 1% tax on certain corporate stock repurchases, an extension of the excess business loss limitation, and expansion of renewable energy and energy efficiency incentives.

"While the Act contains significant incentives for certain investments in clean energy infrastructure, it defers many of the eligibility specifics and implementation details to federal agencies, leaving significant questions for businesses seeking to understand the short and medium term impacts," Stoel-Rives law firm noted in a legal update prepared by the firm.

Millions to Speed Permitting – Senate to Vote on Permitting Reforms

The IRA contains hundreds of millions of dollars to help speed environmental reviews to permit major projects.

"The funding will be used to staff up agencies burdened with permitting new climate and infrastructure projects while improving efficiencies through integration and the use of automation in the permitting process," said Mark Limbaugh with The Ferguson Group, the Alliance's representative in Washington, D.C.

In the meantime, Congress is set to vote separately on an environmental permitting reform deal struck between Sen. Joe Manchin (D-WV) and Majority Leader Chuck Schumer (D-NY) to gain Senator Manchin's support for the IRA climate bill. Sen. Manchin's goal is to limit the number of legal challenges levied against projects as well as the time federal agencies have to conduct reviews. Bill language has not yet been released.

At issue are the political differences between the parties. Republicans and developers urge faster reviews and contend that rules under the National Environmental Policy Act (NEPA) and other environmental statutes are too cumbersome.

"But Democrats, and some conservatives, too, have long asserted that the actual problem is that there simply are not enough experts at federal agencies to do the work," said Mr. Limbaugh. See related story, Page 13.

Alliance Efforts: Western Drought Relief Funding

Shortly after Senator Manchin announced that he would support the bill in late July, a coalition of Western agriculture and water organizations – including the Alliance – sent a letter to Senate leaders, expressing "surprise and concern" about how legislation aimed at climate change fails to include meaningful provisions to address water security and emergency drought response.

None of the nine organizations signing the letter – which also included the Agribusiness and Water Association of Arizona, Association of California Water Agencies, National Water Resources Association, Western Growers Association, and four Western state Farm Bureaus – have formally supported the *Inflation Reduction Act*.

"Our letter urged that if a reconciliation package is considered - Congress needs to include provisions to provide immediate drought relief to the West," said Alliance Executive Director Dan Keppen. "We felt this could be a vehicle to get some big-time dollars to help address the drought throughout the West, including short-term funding that is critical to generate water savings in the next few years on the Colorado River. At the time, we knew it was a Hail Mary, to be sure, but if this reconciliation package were to move forward, we wanted something in there more than just dollars for solar panels and drinking water for disadvantaged communities."

Continued on Page 7

Biden Signs Reconciliation Bill (Cont'd from Pg. 6)

Alliance representatives were in communication with several of the Colorado River Basin Democrat Senators as the letter was being developed and in the days after.

Senator Sinema - who had opposed past reconciliation moves (e.g., President Biden's "Build Back Better" plan) - was the last Senate Democrat to publicly support the bill, and she held out until she had fully studied the legislation.

Ultimately, she announced that she had signed off on the legislation after securing a handful of changes, including \$4 billion for drought resilience, which will be directed to Reclamation, although three other Colorado River Basin Senators up for re-election this November accepted the credit for securing the provisions.

"The Western United States is experiencing an unprecedented drought, and it is essential that we have the resources we need to support our states' efforts to combat climate change, conserve water resources, and protect the Colorado River Basin," Sens. Mark Kelly (D-ARIZONA), Michael Bennet (D-COLORADO) and Catherine Cortez Masto (D-NEVADA) said in a statement. "This funding in the Inflation Reduction Act will serve as an important resource for Nevada, Arizona, and Colorado, and the work we've done to include it will help secure the West's water future."

The Western drought provisions will help fund conservation projects to increase water levels in Colorado River system reservoirs, and compensate water users for reducing water use, through temporary or multi-year agreements.

Senator Feinstein's office said those payments could benefit "agricultural water users" - in the Colorado River Basin as well as those from other areas like the Klamath River Basin - "who are suffering from long-term drought and can reduce water use in ways that have conservation, environmental and other broader public benefits." (*Greenwire*)

The drought provisions will also help mitigate effects of drought by funding environmental restoration projects, including inland waterways like the Salton Sea.

"This funding is critical to stabilize the Colorado River system and accelerate projects at the Salton Sea to protect public health and the environment," California Gov. Gavin Newsom (D) said in a statement.

Next Steps

"We'll now start thinking about how we can best affect implementation of these funds, via appropriations and working with the Reclamation Commissioner's office," said Alliance Executive Director Dan Keppen. "The bill is a bit short on direction and Interior and Reclamation officials will need some time to review and analyze the final language to inform their decision makers on the different ways they might be able to spend the funding."

The language in the bill calls out the Colorado River Basin as a priority for this funding and, based on their existing authorities, Reclamation will probably look at both short- and long-term strategies to put the funding to good use.

"There are other basins in the West that are in serious multi-year drought and could also, we believe, benefit from some of the funding, but the Colorado River will remain the priority," said Mr. Limbaugh. "From a West-wide perspective, this funding could set the stage for the rest of the year by drawing attention to the reality that there are many other areas that are hurting, not just the Colorado River."

Finding ways to best influence the best ways that Reclamation can implement these dollars will be a key priority for the Family Farm Alliance for the next four years.

Congress remains on August recess, with the Senate scheduled to return on September 6 and the House returning on September 13.

The House is expected to adjourn for the midterm elections on September 30 (only 11 legislative days) with the Senate scheduled to be in session until October 21 if that adjournment date stays in place.

River Coalitions Coalesce (Continued from Page 4)

deploy that funding to address the most critical needs.

"As Reclamation develops a plan to deploy drought funding, they should work with local water managers, set goals focused on driving the voluntary participation needed, and keep the process, selection criteria and any necessary agreements simple and transparent," the letter states.

The letter also recommends that any program designed to temporarily reduce agricultural water use must recognize the value of lost production, the extended impact on the rural community and the cost of developing incremental new water supplies.

"It is also important to avoid any actions that result in permanent disruptions to our long-term capacity to produce the food and fiber that is relied upon in the U.S. and across the globe," the letter states. "Agriculture should not be the only sector expected to reduce water use for the benefit of river systems."

The letter concludes with a plea for urban planners and water users to also seriously address growth and reduce overall use or diversions to protect the river system.

- Excerpts of this article derive from an August 16, 2022 Bureau of Reclamation press release -

Drought Persists in Much of the West Monsoons Bring Relief to Southwest Region

The U.S. Drought Monitor reports that warm, dry conditions continued across much of the High Plains in August, as moderate drought expanded in western South Dakota and northeast Wyoming where rainfall deficits this summer have dried out soils, lowered streamflow, and stressed vegetation. To the West, Idaho and Montana saw an expansion of abnormally dry areas. Persistent warm, dry weather is likely to lead to additional degradations as soils continue to dry and vegetation suffers.

This year is on pace to be the driest on record since California started hydrologic measurements 128 years ago (*see related story, Page 9*).

Oregon Drought Continues

Drought conditions in the Pacific Northwest are not nearly as severe as they were last year, but some areas are still seeing severe, extreme and even exceptional drought.

"At this time last year, the majority of the Pacific Northwest was either in extreme or exceptional drought, which are the two worst drought categories," said Larry O'Neill with the Oregon Climate office at a regional drought webinar last month. "By many measures, it was one of the worst droughts in the recorded history (of) the Pacific Northwest."

The U.S. Drought Monitor indicates over 65% of Oregon is experiencing moderate to exceptional drought conditions. Slight changes over recent weeks include improvements in parts of Jefferson, Wasco and Wheeler Counties.

Talent Irrigation District (TID) in southern Oregon last month shut off all water, the second summer in a row the district has curtailed water deliveries early because of a lack of water. TID told NBC-5 in Medford that the decision was made due to low reservoir levels and depleted water supply.

Farmers who get their water from the district told NBC the move is not surprising and that they've been bracing for it.

"We normally, a couple years back, plant 60 acres, and then this last year, we had to drop down to 15, and then we did the same thing this year," said Paul Elliott with Elli-Hou Farm. "We didn't want to get through the season and then

have no water left and watch our crop die, this is our livelihood."

Farmers and ranchers served by the federal Klamath Irrigation Project in Southern Oregon and Northern California also had their water supply unexpectedly curtailed last month (*see related story, Page 11*).

Monsoons in the Southwest

An active monsoon season in the Southwest led to improvements to drought conditions last month. Precipitation has improved many drought indicators including soil moisture, streamflow, and well data. Drought conditions improved in northern and southern Arizona, southern and eastern New Mexico, and Utah and Nevada.

Dallas, Texas saw more than 6.5 inches of rain in 24 hours, The Weather Channel's Jim Cantore told "CBS Mornings." In just one hour, the city had 3 inches of rain, the most rain Dallas has seen in a one-hour period since at least 1953, he said. The heavy rain follows weeks of dry weather.

"The tables have turned big time," Mr. Cantore said. "As a matter of fact, this is probably the wettest August on record for Dallas."

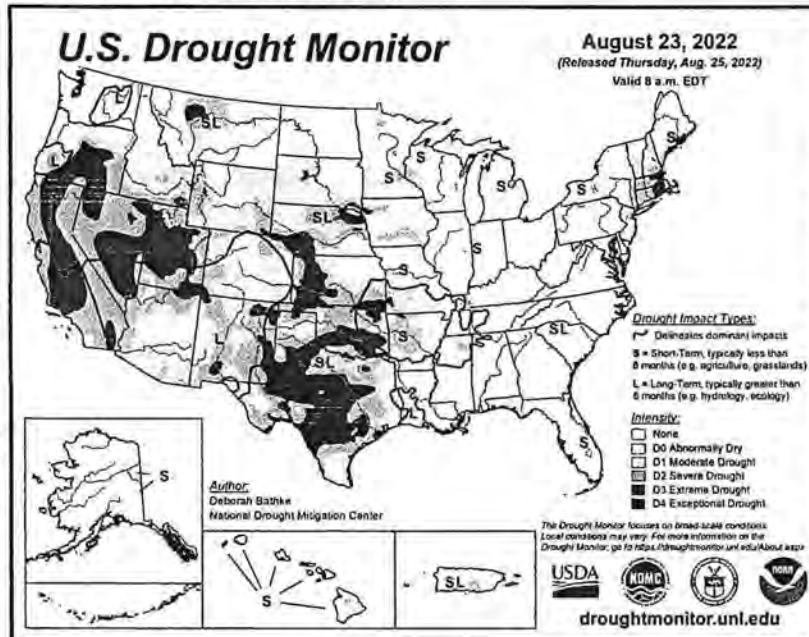
Outlook

NOAA's Climate Prediction Center (CPC) last

month issued a La Niña Advisory, noting that it is expected to continue.

"During the past month, below-average sea surface temperatures (SSTs) expanded across the central and eastern equatorial Pacific Ocean.... Overall, the coupled ocean-atmosphere system remained consistent with an ongoing La Niña," the CPC reported.

La Niña is a weather pattern that occurs in the Pacific Ocean. In this pattern, strong winds blow warm water at the ocean's surface from South America to Indonesia. As the warm water moves west, cold water from the deep rises to the surface near the coast of South America. Generally speaking, La Niña winters tend to be drier and warmer than normal across the southern U.S. and cooler and wetter in the northern U.S. and Canada.



Crippling California Drought Continues

Governor Unveils New Water Supply Strategy

The National Oceanic and Atmospheric Administration (NOAA) predicts that 2022 is on pace to be the driest year in the 128 years of precipitation records in California, due to an extremely dry January, February and March.

California drought has left more than 531,000 acres of farmland barren - a 36% increase on 2021 due to dwindling water supply that experts say will impact crops of wheat, cotton, rice and alfalfa. US Drought Monitor data shows about 17 percent of the state - mostly in the Central Valley - experiencing what is known as an 'exceptional' drought, or a drought with heightened fire and water shortage risks.

"That's going to mean less water available for agriculture in certain parts of the state, most likely," Aaron Smith, professor of agricultural economics at UC Davis, told *The San Francisco Chronicle* last month. "We will see some reductions in land use and certainly, I would expect less alfalfa, rice, cotton and wheat, which have been declining anyway."

In the Westlands region of California, water costs around \$2,000 an acre-foot, according to Sarah Woolf, president of Water Wise, a water brokerage and consultancy based in Fresno.

Bloomberg reports that the soaring prices are a reflection of how quickly California's water crisis is escalating, with dire implications for food crops that are almost entirely reliant on irrigation.

"From the agriculture front it's just not sustainable," Ms. Woolf told *Bloomberg*. "I don't know of a crop that can carry water prices like that."

Sec. Haaland, Commissioner Touton Visit California

U.S. Secretary of the Interior Deb Haaland and Bureau of Reclamation Commissioner Camille Touton spent two days in California last month to highlight how investments from the Bipartisan Infrastructure Law (BIL) will help address the worsening drought crisis and expand access to clean drinking water for families, farmers and wildlife.

Part of the visit took place in the Central Valley, where Secretary Haaland, Commissioner Touton, and federal, state and local leaders visited with farmers and water users in Fresno to discuss water solutions for farmers and highlight investments from the BIL and the Inflation Reduction Act (*see related story, Page 5*).



Kevin Herman, owner of the Specialty Crop Co., (L), speaks with Interior Secretary Deb Haaland in Madera County, as U.S. Rep. Jim Costa (D-CALIFORNIA) and Camille Touton, U.S. Bureau of Reclamation Commissioner, look on. Photo courtesy of Andrew Innerarity, California Department of Water Resources. 8/17/2022

The BIL allocates \$8.3 billion for Reclamation water infrastructure projects to repair aging water delivery systems, secure dams, complete rural water projects, and protect aquatic ecosystems.

"Between federal and state funding, we have a tremendous opportunity to help farming; to help the San Joaquin Valley become resilient over time to these changing conditions that result from climate change," said Wade Crowfoot, California's Secretary of Natural Resources.

In Southern California, the Secretary and Commissioner announced the allocation of \$309.8 million in funding from the BIL and \$1 million in appropriated funding for the planning, design and construction of water reuse projects across the country. The selected projects will advance drought resilience and are expected to increase annual capacity by about 213,000 acre-feet of water, enough water to support more than 850,000 people a year.

Governor Rolls Out California's Water Supply Strategy

A recent survey conducted by the Public Policy Institute of California (PPIC) shows the top environmental issues on Californians' minds are water supply, drought and reservoirs.

"For many people, they say the lack of water or a shortage of the supply of water (is the top issue), and then they get into other issues that they see as related to the drought, like wildfires, climate change and things like that," said president and CEO of the PPIC, Mark Baldassare. "But for most people, it's something they either know about or they describe it as we don't have enough water where we live."

California Governor Gavin Newsome responded to the drought last month in Antioch when he rolled out the state's new water supply strategy. The governor's plan, detailed in a

Continued on Page 10

Gov. Newsom's Water Plan (Cont'd from Pg. 9)

16-page document, lays out a series of actions aimed at preparing the state for an estimated 10% decrease in California's water supply by 2040 due to higher temperatures and decreased runoff.

The plan focuses on accelerating infrastructure projects, boosting conservation and upgrading the state's water system to match the increasing pace of climate change, securing enough water for an estimated 8.4 million households.

Governor Newsom called it "an aggressive plan to rebuild the way we source, store and deliver water so our kids and grandkids can continue to call California home in this hotter, drier climate."

Reaction from Environmental Groups

Environmental organizations praised some aspects of Governor Newsom's plan but said the water strategy does not go far enough.

"The thrust of the report, to increase urgency and attention around recycling, urban stormwater capture, efficiency, those are all good things," said Kate Poole, senior director of the Natural Resources Defense Council's nature program. "That said... you can't really deal effectively with water use without dealing with Big Ag. And Newsom does not seem very willing to do that."

Other long-time critics of irrigated agriculture and the petroleum industry echoed those comments.

"Newsom's drought plan to conserve water ironically does nothing to curtail the biggest water abusers who are also the biggest sources of greenhouse gas emissions fueling the crisis," said Food & Water Watch California Organizing Manager Tomás Rebecchi. "The toxic cycles of industrial agriculture and fossil fuel extraction use massive amounts of water that could otherwise go to public uses, kneecapping any attempt at meaningful water conservation."

Initial Reaction from California Water Users

The initial reaction of several state water and agricultural organizations to the governor's plan was positive.

"ACWA supports the Governor's call for the development of new water supplies through increased recycled water, desalination, above- and below-ground storage capacity, and groundwater replenishment," said Cindy Tuck, the Association of California Water Agency (ACWA) Deputy Executive Director for Government Relations.

"As we adapt to a hotter and drier future – I applaud the Administration's Water Supply Strategy," added Don Cameron, Chair of the State Board of Food and Agriculture. "For the communities and farm families in the Central Valley, this strategy is a call for action to not only adapt to our changing climate but also support a more drought-resilient, equitable and vibrant agricultural economy."

However, other California agricultural water managers and farmers have quietly expressed concern and exasperation with Governor Newsom's water supply strategy.

Concerns of Agricultural Water Users

"As a general matter, the report is very light on specific actions, deadlines, accountability, and measurable outcomes," said one Central Valley water manager who wished to remain anonymous. "In my opinion, it all but completely abandons the large water supply gap faced by farmers in the Valley."

Other silent critics of the new strategy believe the "scariest" part of the report is the call for new legislation that would authorize the state to curtail water diversions even during non-drought years.

The report claims that California "might" experience a 10% decrease in overall water supplies by 2040 – approximately 6-9 million acre-ft of per year - due to less snowfall, more evaporation, and more consumption by plants and soil.

"Most of this decrease is looking into the future and not so much what has been actually experienced, so it is very speculative," said one reviewer of the strategy. "There is no real discussion about the existing water supply gap that needs to be addressed."

Response from Prominent California Republicans

The discussion of new storage in the governor's strategy document focuses on moving the storage projects approved by the California Water Commission using the Proposition 1 bond passed in 2014.

State Sen. Brian Dahle, a Republican running against Governor Newsom in this fall's election, also pointed to the fact that no projects have been completed with the bond money the state passed eight years ago, according to the AP.

"When do the people wake up and go, 'I want results. I actually want some results and I want to stop being promised and charged for non-results,'" said Sen. Dahle.

Meanwhile, Congressional Republicans, led by House Minority Leader Kevin McCarthy (R-CALIFORNIA) wrote a letter to Governor Newsom trying to get his support on raising Shasta Dam. The letter makes three recommendations to the governor: 1) Reconsider opposition to the Shasta Dam enlargement project; 2) Allow local water districts to partner with the Bureau of Reclamation to advance the project; and 3) Work with the Legislature to amend state law if necessary to make sure the project can be advanced as quickly as possible.

"Raising Shasta Dam would improve water supply reliability for agricultural, municipal, industrial, and environmental uses, improve Sacramento River temperatures and water quality below the dam for salmon survival, increase the generation of hydroelectric power, and reduce the risk of flood damage," the letter said.

Federal Government Curtails Klamath Project Water Deliveries

The United States Bureau of Reclamation (Reclamation) last month announced that irrigation districts that provide water to family farms and national wildlife refuges should immediately cease all diversion of water from Upper Klamath Lake, the major water storage reservoir for the Klamath Project (Project).

Irrigation Curtailed Before Harvest

The move is the latest chapter in a two-decade history of requiring ever-higher levels of flow in the Klamath River, and water surface elevations in Upper Klamath Lake, both ostensibly for protection of threatened or endangered fish species. The policy has caused severe damage to rural communities, food production, and terrestrial wildlife, with no identifiable benefit for the target fish species.

Klamath Water Users Association (KWUA) Executive Director and Counsel Paul Simmons said that drought is a factor this year, but in the Klamath Basin, "reckless" federal water management is the real problem.

"This irrigation season, there will be about 335,000 acre-feet of inflow to Upper Klamath Lake, yet the government is requiring that 407,000 acre-feet be released for Klamath River flows, and that Upper Klamath Lake end the year at elevations far above any level ever claimed to be necessary for endangered suckers species," he said.

In mid-April, Reclamation announced that the water supply for producers and wildlife would be about 15 percent of the actual demand. KWUA estimates that about one-third of total Project acreage will have received zero water this year, and all of the rest will receive very limited water.

Although Reclamation's April 2022 announcement for water deliveries was disappointing to local water users, there was abundant precipitation in the basin between mid-April and June. This triggered hope within the local farming community that there would be more water available for diversion and delivery for food production and wildlife this year.

Instead, the federal agencies made a decision that KWUA claims "was based on politics, not science, and withheld readily available water from farmers who needed it."

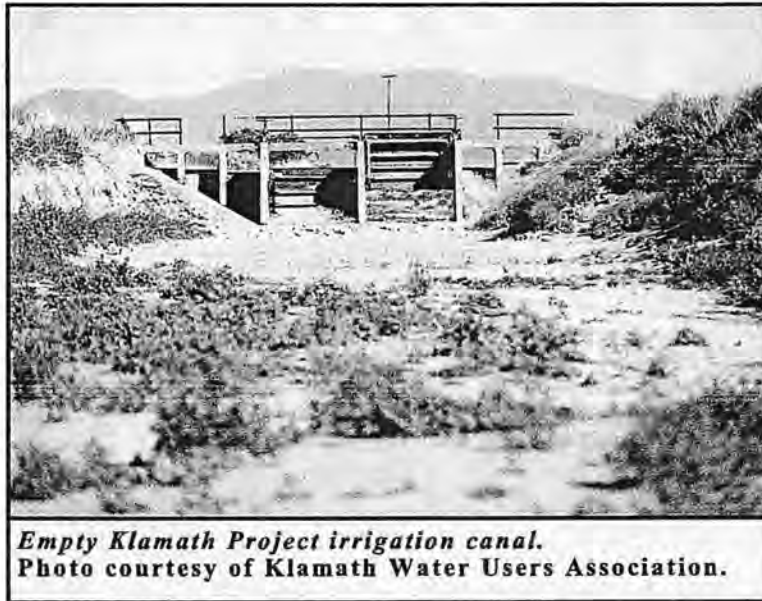
No Water for National Wildlife Refuges

Last month's federal action virtually guarantees that there

will be no water deliveries to Lower Klamath and Tule Lake National Wildlife Refuges for the foreseeable future. For the first time ever, both refuges are bone dry.

The U.S. Fish and Wildlife Service (USFWS) announced that Tule Lake and Lower Klamath National Wildlife Refuges will be closed to all public upland game bird and waterfowl hunting during the fall/winter 2022-23 season.

"This closure will affect upland game bird seasons, the general waterfowl season, special group waterfowl hunts (youth, veterans, women) and late season duck and goose hunts," USFWS noted in a public statement.



Empty Klamath Project irrigation canal.
Photo courtesy of Klamath Water Users Association.

The decision to close the hunt season was based on the ongoing and severe drought conditions and lack of available habitat, including food, water and shelter, to support upland game and migratory water birds.

KWUA President Ben DuVal said that farmers are sickened by denial of water that would support waterfowl, reptiles, and amphibians on both federal and non-federal land.

"My farm is just down the road from Tulelake National Wildlife Refuge," he said. "This area once hosted 80 percent of the Pacific Flyway's migrating waterfowl. Now, I can't bring myself to even go look at

the federally-created disaster taking place on that refuge."

Reduced Food Production by Local Farmers

This year's water management comes on the heels of 2021, where the federal government shut down Project irrigation entirely.

"Last year, the government dictated zero Project water diversions for the first time in the 115 years of the Project," said KWUA Vice President Ry Kliewer, a hay and grain producer. "Between last year and this year, my production is about 25 percent of normal. Meanwhile, the bills I have to pay are skyrocketing."

Tulelake Irrigation District Manager Brad Kirby said that there is great concern that some food crops may die in the field, noting that the investment already made in crops that may fail is enormous.

"For some crops like alfalfa, we are looking at severely reduced production," said Mr. Kirby. "But for row crops like potatoes and onions, there is essentially no production unless

Continued on Page 12

Buzz, Buzz, Buzz Goes the Bumblebee Alliance Weighs in on California ESA Case

The Family Farm Alliance last month put forward a letter to the California Supreme Court in support of a petition for review submitted by agricultural interests in a California Endangered Species Act (CESA) case with very significant ramifications.

Nossaman Law Firm is representing a broad array of farming interests in the matter, including California Farm Bureau, Almond Alliance, and Western Growers. At issue is whether CESA extends to insects such as bumble bees.

"Until recently, it was widely understood that CESA does not extend to insects," said Paul Weiland, the lead attorney with Nossaman.

There is a formal Attorney General Opinion affirming insects are not covered by CESA. The California Department of Fish and Wildlife website also indicated until recently that insects are not covered. Even the petitioner (Xerces Society) has made the point that CESA does not protect insects when seeking federal listing of them.

"Nonetheless, the State flipped its position when it received a petition to list four subspecies of bumble bees in 2019," said Mr. Weiland. "The implications for all regulated entities are significant."



Photo source: WA State DFW

The added complication of a permitting scheme that begins with four subspecies of bees spread across over 35 California counties and that can be anticipated to add many more insects that are difficult to differentiate and avoid in a working landscape is "a very big deal", according to Mr. Weiland.

Nossaman prevailed in trial court but lost in the court of appeal.

The purpose of the Alliance's amicus letter was to urge the Supreme Court to take the case.

Alliance General Counsel Norm Semanko developed a two-page letter that was filed with the court last month.

Petitioners to list the bee go out of their way to go after the farming community in the petition. The Alliance letter emphasizes the challenges faced by rural California communities in the Central Valley and elsewhere that depend on farming and that are critical to the nation's food security.

"As documented in the petition, the opinion will have particularly harsh impacts on the agricultural community in California - those who grow crops to provide food and fiber to the nation," said Mr. Semanko. "The adverse impacts on food security are particularly troubling to the Alliance and merit granting of the petition by the Supreme Court."

Klamath Basin Water News (Cont'd from Pg. 11)

you have water through the end of the irrigation season."

Klamath Dam Removal Project Moves Forward

In other Klamath River news, the Federal Energy Regulatory Commission (FERC) on August 26 released a Final Environmental Impact Statement (FEIS) that recommends approval to remove four dams on the Klamath River. These dams were originally built to generate hydropower and do not store water for Klamath Project irrigators.

The recommendation by FERC staff is another key milestone in progress toward restoring the Klamath to its former free-flowing condition, work that has been undertaken collectively by PacifiCorp, which owns the dams, Oregon, California and the Klamath River Renewal Corporation.

"This is an encouraging step forward. DEQ appreciates the thorough and comprehensive review by FERC staff," said Richard Whitman, Director of the Oregon Department of Environmental Quality. "We look forward to working with all of our partners to help put resource management back on a sustainable footing."

The FEIS is a requirement of the National Environmental Policy Act (NEPA), which requires federal agencies to prepare a document disclosing environmental impacts of a proposed decision, as well as mitigation measures and alternatives. The FEIS also provides responses to comments that were submitted on a draft of the document.

The publication of the FEIS is a necessary predicate for FERC to make a decision on whether to approve license surrender and decommissioning (removal), as well as for any other federal agency decisions that may be required, such as the Corps of Engineers' issuing a permit to authorize the deposit of dredged or fill material in the Klamath River.

FERC may not legally take any action until 30 days after the issuance of the FEIS. The FERC decision will be in the form of an order authorizing license surrender and decommissioning.

"I don't know when FERC will actually consider issuance of an order, but my instincts are that it will be sometime during fall of this year," said Mr. Simmons.

Republican Efforts to Reform NEPA

E&E Daily reports that House Republicans are renewing their focus on the National Environmental Policy Act (NEPA) ahead of the midterm elections.

Minority Leader Kevin McCarthy (R-CALIFORNIA) and Select Committee on the Climate Crisis ranking member Garret Graves (R-La.) convened GOP lawmakers last month in a forum to outline how they will handle NEPA as part of their task force on energy, climate and conservation policy.

The "Let America Build" initiative seeks to put time limits on environmental reviews and reduce the ability to litigate against projects over NEPA compliance. NEPA, passed in 1970, requires government agencies to carry out thorough environmental reviews of projects they carry out, fund or approve, along with gathering public input.

"In rural America, we're at the forefront of this... We're the ones that feed people," said Rep. Dan Newhouse (R-WASHINGTON). "We're the ones that produce the energy. We're the ones that are trying to manage our lands. And we can't do that under this burdensome system."

The GOP lawmakers invited representatives from industries including utilities and pipelines, as well as state governments, to help make their case for reform.

Republicans in the Senate, meanwhile, are taking their own steps to target NEPA. They hope to force a vote soon on legislation to repeal the Biden administration's new regulations on carrying out NEPA, which include requirements to account for climate change. Sen. Dan Sullivan (R-AK) is leading an effort to overturn the rule through a Congressional Review Act (CRA) resolution, S.J. Resolution 55, he introduced July 13 that is supported by all 50 Republican senators.

"Will [my Senate Democratic colleagues] capitulate to the far-left radical environmentalists, or will they stand with the American people and the hard-working men and women of this country who build the vital hard infrastructure projects we need?" Senator Sullivan asked in his Senate floor speech. "There won't be any hiding from this vote. It will be very interesting to see who my Democratic colleagues stand with."

Applegate Sworn in as USGS Director

On August 15, the Department of the Interior swore in the new Director of the U.S. Geological Survey (USGS), David Applegate. He joined the USGS in 2004, and in 2021 began serving as the USGS Associate Director for Natural Hazards.

USGS is the sole earth science agency for the Department of the Interior and the federal government. It is sought out by thousands of partners and customers for its natural science expertise and its vast earth and biological data holdings.

"David's long and impressive tenure will continue to be essential to ensuring that the Department continues to be an international leader in developing the climate science needed to understand the Earth's past, present and future climate," said Secretary of the Interior Deb Haaland. "With science at the heart of Interior's mission, David will also play a key role in helping us to strengthen and reinforce the scientific integrity of the Department's work."

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



Protecting Water for Western Irrigated Agriculture

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

CORRESPONDENCE LIST

SEPTEMBER 2022

1. August 12, 2022 – Notice and Agenda received from Santa Ynez Community Services District for the August 17, 2022 Regular Board Meeting
2. August 15, 2022 – Letter from District regarding payment plan arrangement for water service account
3. August 15, 2022 – Can and Will Serve Letter from District for APN 143-302-015
4. August 15, 2022 – Letter from District regarding reminder of backflow testing requirements
5. August 17, 2022 – Letter from District to Smith Mechanical-Electrical-Plumbing regarding Notice of Award for the MCC and Service Upgrades – Phase 2 project
6. August 18, 2022 – Received Audit Confirmation Letter from Association of California Water Agencies/JPIA
7. August 18, 2022 – Notice and Agenda received from Cachuma Operations & Maintenance Board (COMB) for the August 22, 2022 Regular Board of Directors Meeting
8. August 19, 2022 – Notice and Agenda received from the Santa Ynez Community Services District for the August 25, 2022 Special Board of Directors Meeting
9. August 29, 2022 – Water Service Requirements Letter – New Single-Family Residence, detached garage, and private fire protection – APN 143-143-013
10. August 30, 2022 – Notice and Agenda received from the Santa Ynez Community Services District for the September 6, 2022 Special Board of Directors Meeting
11. August 30, 2022 – transmittal from Central Coast Water Authority regarding August 29, 2022 Department of Water Resources Letter addressing Water Conservation Actions for 2023
12. September 1, 2022 – Notice and Agenda received from the Los Olivos Community Services District for the September 6, 2022 Finance Committee Meeting
13. September 9, 2022 – Notice and Agenda received from the Los Olivos Community Services District for the September 14, 2022 Board of Directors Meeting
14. September 9, 2022 – Letter from District regarding termination of water service – APN 141-300-038
15. September 12, 2022 – Letter from the District sent to twelve customers regarding backflow testing requirement
16. September 12, 2022 – Notice and Agenda received from the Santa Ynez Community Services District for the September 21, 2022 Regular Board of Directors Meeting