

NOTICE AND AGENDA

Regular Meeting of the Board of Trustees
SANTA YNEZ RIVER WATER CONSERVATION DISTRICT, IMPROVEMENT DISTRICT NO.1
will be held at **3:00 P.M., Tuesday, June 21, 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 "**June 21, 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. 820 – 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 MAY 17, 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. Appropriation Limit for the 2022/2023 Fiscal Year - Article XIII B (Proposition 13)
 - a) Resolution No. 821: A Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 Establishing the Appropriation Limit for Fiscal Year 2022/2023 Pursuant to Article XIII B of the California Constitution
3. Consider Adoption of the Final Budget for Fiscal Year 2022/2023
 - a) Final Budget Summary
 - b) Resolution No. 822: A Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 Adopting the Final Budget for Fiscal Year 2022/2023 and Requesting an Assessment Levy Required to Collect \$875,000

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

A. SUSTAINABLE GROUNDWATER MANAGEMENT ACT

1. Eastern Management Area Update

B. CALIFORNIA DROUGHT CONDITIONS

1. Update Regarding Statewide Drought Conditions

C. CENTRAL COAST WATER AUTHORITY

1. Update Regarding CCWA's Temporary Warren Act Contract for the Cachuma Project

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 **July 19, 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 forty-five (45) 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

B. CONFERENCE WITH LEGAL COUNSEL – POTENTIAL INITIATION OF LITIGATION BY THE AGENCY
[Subdivision (d)(4) of Section 54956.9 of the Government Code – 1 Matter]

Public teleconference access to the meeting (Dial-In Number and Passcode above) will be reopened when the Board of Trustees concludes closed session.

- 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, 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 the 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. A person who has a question concerning any of the Agenda items may call the District's General Manager at (805) 688-6015. Written materials relating to an item on this Agenda that are distributed to the Board of Trustees within 72 hours (for Regular meetings) or 24 hours (for Special meetings) before it is to consider the item at its regularly or special scheduled meeting(s) will be made available for public inspection at 3622 Sagunto Street, during normal business hours. 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. If you challenge any of the Board's decisions related to the Agenda items above in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence to the Board prior to the public hearing. 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 District Secretary at (805) 688-6015. Notification 72 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting.

RESOLUTION NO. 820

**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 June 21, 2022 by the following roll call vote:

AYES, and in favor thereof, Trustees:

NOES, Trustees:

ABSENT, Trustees:

ATTEST:

Mary Martone, Secretary to the Board of Trustees

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT,
IMPROVEMENT DISTRICT NO.1
MAY 17, 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, May 17, 2022, in-person at 1070 Faraday Street and via teleconference.

Trustees Present:	Jeff Clay Lori Parker	Brad Joos
Trustees Absent:	Michael Burchardi	Jeff Holzer
Others Present:	Paeter Garcia Gary Kvistad Eric Tambini	Mary Martone Karen King Nick DiCroce

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 three Trustees were present, and Trustees Burchardi and Holzer were absent.

2. PLEDGE OF ALLEGIANCE:

President Clay led the Pledge of Allegiance.

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

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

4. CONSIDERATION OF RESOLUTION NO. 819: 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. 819 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. 819 would allow the Board to hold meetings under the provisions of AB 361.

No public comment was provided.

It was **MOVED** by Trustee Joos, seconded by Trustee Parker, to adopt Resolution No. 819, a Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 Authorizing Remote Teleconference Meetings Under the Ralph M. Brown Act in Accordance with AB 361.

1
2 The Resolution was adopted and carried by the following 3-0-0 roll call vote:
3

4 **AYES, Trustees:** Jeff Clay
5 Brad Joos
6 Lori Parker
7
8 **NOES, Trustees:** None
9 **ABSTAIN, Trustees:** None
10 **ABSENT, Trustees:** Michael Burchardi and Jeff Holzer
11

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

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

15 6. **PUBLIC COMMENT:**

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

21 7. **CONSIDERATION OF THE MINUTES OF THE REGULAR MEETING OF APRIL 19, 2022:**

22 The Regular Meeting Minutes from April 19, 2022 were presented for consideration.
23

24 President Clay asked if there were any changes or additions to the Regular Meeting Minutes of
25 April 19, 2022 as presented. No changes or additions were requested.
26

27 It was **MOVED** by Trustee Joos, seconded by Trustee Parker, and carried by a 3-0-0 roll call vote,
28 with Trustees Burchardi and Holzer absent, to approve the April 19, 2022 Minutes as presented.
29

30 8. **CONSENT AGENDA:**

31 The Consent Agenda Report was provided in the Board packet.
32

33 Mr. Garcia reviewed the Consent Agenda materials for the month of April.
34

35 It was **MOVED** by Trustee Joos, seconded by Trustee Parker, and carried by a 3-0-0 roll call vote,
36 with Trustees Burchardi and Holzer absent, to approve the Consent Agenda.
37

38 9. **MANAGER REPORTS - STATUS, DISCUSSION, AND POSSIBLE BOARD ACTION ON THE FOLLOWING**
39 **SUBJECTS:**

40 **A. DISTRICT ADMINISTRATION**

41 1. Financial Report on Administrative Matters

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

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

48 Ms. Martone reviewed the Statement of Revenues and Expenses for the month of
49 April. She highlighted various line-items related to revenue and expense transactions
50 that occurred during the month and also referenced the Fiscal Year to Date Statement
51 of Revenues and Expenses that provides a budget to actual snapshot from July to
52 April. Ms. Martone reported that the District revenues exceeded the expenses by
53 \$576,025.15 and the year-to-date net income is \$2,634,999.01.

1
2 b) Approval of Accounts Payable

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

7 The Board reviewed the Warrant List which covered warrants 24471 through 24522 in
8 the amount of \$2,477,415.41.
9

10 It was **MOVED** by Trustee Joos, seconded by Trustee Parker, and carried by a 3-0-0 roll
11 call vote, with Trustees Burchardi and Holzer absent, to approve the Warrant List for
12 April 20, 2022 through May 17, 2022.
13

14 2. Fiscal Year 2022/2023 Preliminary Budget

15 The Board packet included materials for the Preliminary Budget for FY 2022/2023,
16 including a staff report and line-item details.
17

18 Mr. Garcia reported that management prepared a PowerPoint presentation providing an
19 overview and highlights of the Preliminary Budget, which would be presented by Ms.
20 Martone. He reported that the staff report and fiscal year 2022/2023 Preliminary Budget
21 have been made available on the District website and was being presented for
22 consideration, discussion and comments. Mr. Garcia expressed his appreciation and
23 compliments to District staff for their hard work and collaboration in preparing the
24 preliminary budget.
25

26 Ms. Martone provided a PowerPoint presentation, which included the budget process,
27 reporting, budget and reserve fund background, and budget categories. Ms. Martone
28 reported that revenues are anticipated to be sufficient to meet the District's Operations &
29 Maintenance expenses, General & Administrative expenses, Debt Service obligations,
30 Other expenses, and proposed Capital Improvement Program projects forecasted for FY
31 2022/2023, with a net revenue balance of \$279,031 to be added to the District Reserves.
32 She also highlighted the fact that the final payment for the Series A 2004 bond will be
33 made in FY 2023 pursuant to the terms of the bond indenture.
34

35 Mr. Garcia stated that the last rate adjustment pursuant to the 2016 Water Rate Schedule
36 went into effect on July 1, 2021 and is assumed to remain in effect for the proposed FY
37 2022/2023 Preliminary Budget. He reported that the Preliminary Budget also assumes
38 no increase in the \$875,000 Special Assessment/Ad Valorem Tax, even though the
39 authorized limit for FY 2022/2023 is \$2,300,918.
40

41 Board discussion ensued on topics such as the historical and current amount of the Special
42 Assessment/ Ad Valorem Tax, reduction of DWR/CCWA fixed costs, USBR costs, reserve
43 balances, and water sales.
44

45 Mr. Garcia asked that the Board review the 2022/2023 Preliminary Budget and provide
46 any comments or questions to management by early June for possible incorporation into
47 the 2022/2023 Final Budget which will be presented at the June Board meeting.
48

49 President Clay asked if there was any public comment on the Preliminary Budget. There
50 was no public comment.
51

52 The Board thanked Mr. Garcia, Ms. Martone, and District staff for their hard work in
53 preparing the FY 2022/2023 Preliminary Budget.

1 3. Setting the Appropriation Limit for the 2022/2023 Fiscal Year - Article XIII B (Proposition
2 13)

- 3 a) California Department of Finance Calculations for 2022/2023 Appropriation
4 Limitations and Authorization to Post Notice and make Public the 2022/2023
5 Appropriation Limitation Calculation
6

7 The Board packet included the May 2022 California Department of Finance letter
8 regarding the FY 2022/2023 Appropriation Limitation Calculation, Price Factor,
9 and Population Information.
10

11 Mr. Garcia explained that in connection with establishing an annual
12 appropriation, certain language must be read verbatim into the public record, as
13 follows: *"Pursuant to Section 7910 of the California Government Code, a resolution will*
14 *be presented for adoption by the board of Trustees at its Regular Meeting on June 21, 2022,*
15 *which will set the limitations on appropriations for fiscal year 2022/2023 under Article*
16 *XIII B of the Constitution of the State of California (Proposition 13), and that the*
17 *documentation used in determining the appropriation limitations will be available at the*
18 *District office and on the District's website for examination by the public for at least 15*
19 *days prior to the adoption of the proposed resolution."*
20

21 Mr. Garcia explained the appropriation calculation provided by the California
22 Department of Finance and how the calculations are applied to the District's Ad
23 Valorem Special Tax Assessment limitations. He indicated that based on the
24 computations for the appropriation limitation, the District's FY 2022/2023
25 maximum assessment amount is \$2,300,918. Mr. Garcia explained that this year
26 the per capita personal income factor was 7.55% and the County population
27 change factor was 0.14%. He stated that although the District can set the Special
28 Assessment up to the maximum amount, the FY 2022/2023 Preliminary Budget
29 proposes no increase this year, with the assessment to remain at \$875,000.
30

31 Mr. Garcia requested Board authorization for the Secretary to the Board of
32 Trustees to post the Public Notice setting forth the appropriation limit and
33 calculation factors. He reported that the Public Notice and FY 2022/2023
34 appropriation limitation calculation would be posted at the District Office and on
35 the District's website, beginning May 18, 2022, and published in the local
36 newspaper on or about June 9, 2022 and June 16, 2022. The Board reviewed the
37 Public Notice.
38

39 It was **MOVED** by Trustee Clay, seconded by Trustee Joos, and carried by a 3-0-0
40 roll call vote, with Trustees Burchardi and Holzer absent, to authorize the
41 Secretary to the Board to post and publish the Public Notice to set the Fiscal Year
42 2022/2023 limit of appropriations pursuant to Article XIII B of the California
43 Constitution.
44

- 45 b) Review of Draft Resolutions to be presented for adoption at the June 21, 2022
46 Board Meeting
47 1. Draft Resolution No. XXX: A Resolution of the Board of Trustees of the Santa
48 Ynez River Water Conservation District, Improvement District No.1
49 Establishing the Appropriation Limit for Fiscal Year 2022/2023 Pursuant to
50 Article XIII B of the California Constitution

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2. Draft Resolution No. XXX: A Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 Adopting the Final Budget for Fiscal Year 2022/2023 and Requesting an Assessment Levy Required to Collect \$875,000

Mr. Garcia explained that each year the draft resolutions are presented a month in advance of the adoption of the final budget and establishment of an appropriations limit, and no action is required at this time. He stated the two resolutions would be presented for consideration at the June 21, 2022 Board meeting.

12
13

4. Office Pavement Replacement Project

- a) Notice of Completion

The Board packet included a Notice of Completion for the Office Pavement Replacement Project.

Mr. Garcia reported that the District's parking lot has been repaved and the project is complete. He stated that Ramsey Asphalt finished the repaving on schedule and did an excellent job. Mr. Garcia requested approval to authorize the General Manager to sign and file the Notice of Completion with the Santa Barbara County Clerk Recorders Office.

It was **MOVED** by Trustee Joos, seconded by Trustee Parker, and carried by a 3-0-0 roll call vote, with Trustees Burchardi and Holzer absent, to authorize the General Manager to sign and file the Notice of Completion for the Office Pavement Replacement Project with the Santa Barbara County Clerk Recorders Office.

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

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- A. **SUSTAINABLE GROUNDWATER MANAGEMENT ACT**

1. Eastern Management Area Update

The Board packet included notice of the next Regular Meeting of the Eastern Management Area (EMA) Groundwater Sustainability Agency (GSA) scheduled for May 26, 2022 at 6:30 p.m., Santa Barbara County Public Health Department Virtual Public Workshop materials for the County's proposed Temporary Water Well Permitting Ordinance and State of California Executive Order N-7-22

Mr. Garcia reported on the activities related to the EMA GSA. He announced that he attended the May 10, 2022 Santa Barbara County virtual public workshop regarding the County's proposed temporary water well permitting ordinance in response to the Governor's Executive Order N-7-22. Mr. Garcia summarized the workshop materials included in the Board packet and discussed topics related to the County's well permitting process, and development of a processes for the EMA GSA to implement the Governor's Executive Order. He stated that the County's draft well permitting ordinance will be considered by the County Board of Supervisors at their meeting scheduled for May 26, 2022. Mr. Garcia reported that the EMA GSA is continuing its discussions related to future governance, projects and management actions, and funding. He reported the next regular meeting of the EMA GSA will be held on May 26, 2022.

1 **B. CALIFORNIA DROUGHT CONDITIONS**

2 1. Update Regarding Statewide Drought Conditions

3 The Board packet included the Department of Water Resources (DWR) Current Reservoir
4 Conditions, Metropolitan Water District of Southern California's April 26, 2022 Board
5 Meeting materials, and the State of California Governor's Executive Order N-7-22
6

7 Mr. Garcia reviewed the Board packet materials, including the current and historical
8 conditions of the major reservoirs in California as published by the Department of Water
9 Resources (DWR). He reported that the 2022 State Water Project Table A Allocation will
10 likely remain at the 5% due to the continued dry conditions. Mr. Garcia summarized the
11 Metropolitan Water District's Board materials which involve measures in portions of
12 southern California to respond to ongoing statewide drought conditions. He stated that ID
13 No.1 is fortunate to have a diversified water supply portfolio which assists in managing
14 dry year periods. Mr. Garcia reported that the recent water conservation regulations
15 adopted by the State Water Resources Control Board are similar to and consistent with the
16 District's current "Water Supply Alert" stage of water conservation requirements that have
17 been in place for the District since 2017. Trustee Joos requested an update at the next Board
18 meeting on the potential trigger points for when the District may need to implement
19 additional water use restrictions.
20

21 **C. CENTRAL COAST WATER AUTHORITY**

22 1. Update Regarding CCWA's Temporary Warren Act Contract for the Cachuma Project

23 The Board packet included an April 22, 2022 Santa Ynez River Water Conservation District
24 (Parent District) letter regarding comments on the Draft Environmental Assessment for
25 the proposed Central Coast Water Authority Temporary Warren Act Contract.
26

27 Mr. Garcia provided an overview of the existing Central Coast Water Authority (CCWA)
28 Warrant Act Contract with the United States Bureau of Reclamation (USBR) and explained
29 that CCWA is working to negotiate an interim contract extension because the current
30 contract is set to expire in June 2022. He explained that the National Marine Fisheries
31 Services (NMFS) is reviewing the interim contract and proposing new restrictions which
32 are causing complications and delays in the process. Mr. Garcia referenced the Parent
33 District's April 22nd comment letter and concerns that the restrictions being proposed by
34 NMFS cause significant impacts to downstream water quality and the legal framework
35 that has been adopted to mitigate such impacts. He noted that various parties, including
36 CCWA, USBR, the Parent District, ID No.1, and agencies on the south coast are attempting
37 to work together and find solutions to the complications at hand. Mr. Garcia stated that
38 more information would be provided as available.
39

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

43 The Board packet included the May 2022 Family Farm Alliance Monthly Briefing.
44

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

46 The Correspondence List was received by the Board.
47

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

49 Trustee Joos requested that staff provide an update to the Board on water conservation measures
50 and potential triggers for further water use restrictions.

1 **14. NEXT MEETING OF THE BOARD OF TRUSTEES:**

2 President Clay stated the next Regular Meeting of the Board of Trustees is scheduled for June 21,
3 2022 at 3:00 p.m.

4
5 **15. CLOSED SESSION:**

6 The Board adjourned to closed session at 5:40 p.m.

7
8 **A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

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

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

13
14 2. Name of Case: Central Coast Water Authority, et al. v. Santa Barbara County Flood
15 Control and Water Conservation District, et al., Santa Barbara County Superior Court
16 Case No. 21CV02432

17
18 **16. RECONVENE INTO OPEN SESSION:**

19 [Sections 54957.1 and 54957.7 of the Government Code]

20
21 The public participation phone line was re-opened, and the Board reconvened to open session
22 at approximately 6:07 p.m.

23
24 Mr. Garcia announced that the Board met in closed session concerning Agenda Items 15.A.1
25 and 15.A.2 and that there was no reportable action from closed session.

26
27 **17. ADJOURNMENT:**

28 Being no further business, it was **MOVED** by Trustee Clay, seconded by Trustee Joos, and carried
29 by a 3-0-0 roll call vote, with Trustees Burchardi and Holzer absent, to adjourn the meeting at
30 approximately 6:08p.m.

31
32 **RESPECTFULLY SUBMITTED,**

33
34 **DRAFT**

35
36
37 _____
38 Mary Martone, Secretary to the Board

39
40 **ATTEST:** _____

41
42
43 **MINUTES PREPARED BY:**

44
45 **DRAFT**
46
47 _____
48 Karen King, Board Administrative Assistant

**BOARD OF TRUSTEES
SANTA YNEZ RIVER WATER CONSERVATION DISTRICT,
IMPROVEMENT DISTRICT NO.1
June 21, 2022**

Consent Agenda Report

CA-1. Water Supply and Production Report. Total water production in **May 2022 (398 AF)** was 75 AF greater than total production in April (323 AF), slightly higher than the most recent 3-year running average (2019-2021) for the month of **May (365 AF)**, yet notably less than the most recent 10-year running average (2012-2021) for the month of **May (458 AF)**. 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. **However, exceptionally dry conditions in 2022 have caused demands and total production over the last several months to be higher than the most recent 3-year average.**

For the month of **May**, approximately **195 AF** was produced from the Santa Ynez Upland wells, and approximately **203 AF** was produced from the 4.0 cfs and 6.0 cfs Santa Ynez River well fields. As reflected in the Monthly Water Deliveries Report from the Central Coast Water Authority (CCWA), the District did not request or take delivery of any SWP supplies for the month. Direct diversions to the County Park and USBR were **1.79 AF**.

The USBR Daily Operations Report for Lake Cachuma in **May** (ending May 31, 2022) recorded the end of month lake elevation at **707.51'** with the end of month storage of **84,738 AF**. USBR recorded total precipitation at the lake of **0.0 inches in May**. For the month, reservoir storage was supplemented with **621.2 AF** of SWP deliveries for South Coast entities. Reservoir evaporation in **May** was **1,011.3 AF**.

Based on the maximum storage of 193,305 AF, Cachuma reservoir currently (as of **June 13, 2022**) is at approximately **42.9%** of capacity, with current storage of **82,731 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 2,215 AF of previous years carryover water in the reservoir, subject to evaporation.**

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 May, water releases for fish were approximately 56.2 AF to Hilton Creek and approximately 565.0 AF to the outlet works for a total of 621.2 AF. As of the end of May 2022, a total of approximately 46,697.6 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 has been 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 has reduced the Table A allocation from 15 percent down to 5 percent. This decreased allocation equates to 35 AF for ID No.1's share of Table A supplies through CCWA.** The District also holds approximately 181 AF of prior years carryover in San Luis Reservoir.

As indicated in the May 26, 2022 and June 9, 2022 meeting agendas for the CCWA Board of Directors (enclosed), CCWA is currently addressing 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 proposed temporary CCWA Warren Act Contract for Cachuma Reservoir; potential water management strategies; and pending litigation against the Santa Barbara County Flood Control and Water Conservation District. The June 2022 meeting of the CCWA Board of Directors has been cancelled.

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

MAY 2022

LAKE CACHUMA DAILY OPERATIONS

RUN DATE: June 1, 2022

DAY	ELEV	STORAGE		COMPUTED* INFLOW AF.	CCWA INFLOW AF.	PRECIP ON RES. SURF. AF.	RELEASE - AF.				EVAP AF.	PRECIP INCH	PRECIP INCHES	
		IN LAKE	CHANGE				TUNNEL	HILTON CREEK	OUTLET	SPILLWAY				
	709.10	87,575												
1	709.05	87,484	-91	20.4	17.2	.0	82.3	1.9	14.0	.0	30.4	.250	.00	
2	708.99	87,376	-108	7.2	12.5	.0	81.5	1.8	14.0	.0	30.4	.250	.00	
3	708.94	87,286	-90	10.8	12.5	.0	87.1	1.9	14.0	.0	30.3	.250	.00	
4	708.91	87,232	-54	36.9	12.5	.0	61.6	1.9	12.0	.0	27.9	.230	.00	
5	708.86	87,141	-91	14.2	12.5	.0	71.0	1.8	17.0	.0	27.9	.230	.00	
6	708.81	87,051	-90	29.8	12.7	.0	76.5	1.9	19.0	.0	35.1	.290	.00	
7	708.76	86,961	-90	5.7	22.8	.0	68.7	1.8	19.0	.0	29.0	.240	.00	
8	708.70	86,853	-108	-14.2	22.8	.0	64.4	1.8	19.0	.0	31.4	.260	.00	
9	708.65	86,763	-90	7.8	22.8	.0	63.5	1.9	19.0	.0	36.2	.300	.00	
10	708.59	86,655	-108	-12.6	22.8	.0	63.6	1.8	19.0	.0	33.8	.280	.00	
11	708.53	86,548	-107	-14.0	22.8	.0	63.7	1.8	19.0	.0	31.3	.260	.00	
12	708.48	86,459	-89	16.6	22.8	.0	75.1	1.8	19.0	.0	32.5	.270	.00	
13	708.44	86,388	-71	36.0	22.7	.0	82.3	1.9	19.0	.0	26.5	.220	.00	
14	708.38	86,282	-106	12.9	22.7	.0	79.9	1.8	19.0	.0	40.9	.340	.00	
15	708.34	86,210	-72	48.4	22.7	.0	86.2	1.8	19.0	.0	36.1	.300	.00	
16	708.28	86,104	-106	-23.1	22.7	.0	59.6	1.8	19.0	.0	25.2	.210	.00	
17	708.25	86,050	-54	37.8	22.7	.0	62.5	1.8	19.0	.0	31.2	.260	.00	
18	708.18	85,926	-124	-12.2	14.3	.0	78.7	1.8	18.0	.0	27.6	.230	.00	
19	708.13	85,837	-89	37.9	12.5	.0	87.5	1.8	19.0	.0	31.1	.260	.00	
20	708.07	85,712	-125	13.1	12.5	.0	90.3	1.8	19.0	.0	39.5	.330	.00	
21	708.01	85,624	-88	31.6	12.5	.0	82.6	1.8	19.0	.0	28.7	.240	.00	
22	707.95	85,517	-107	5.5	12.5	.0	74.5	1.7	19.0	.0	29.8	.250	.00	
23	707.91	85,446	-71	45.2	12.5	.0	73.5	1.8	20.0	.0	33.4	.280	.00	
24	707.84	85,321	-125	-2.6	12.5	.0	73.6	1.8	19.0	.0	40.5	.340	.00	
25	707.80	85,250	-71	51.1	12.5	.0	74.5	1.8	19.0	.0	39.3	.330	.00	
26	707.74	85,143	-107	14.0	12.5	.0	74.7	1.8	19.0	.0	38.0	.320	.00	
27	707.69	85,054	-89	7.6	30.1	.0	76.2	1.8	19.0	.0	29.7	.250	.00	
28	707.65	84,983	-71	20.1	36.6	.0	71.3	1.8	19.0	.0	35.6	.300	.00	
29	707.59	84,877	-106	-11.8	36.7	.0	74.6	1.7	19.0	.0	35.6	.300	.00	
30	707.55	84,808	-69	4.1	36.7	.0	54.6	1.8	19.0	.0	34.4	.290	.00	
31	707.51	84,738	-70	-11.6	36.6	.0	42.2	1.8	19.0	.0	32.0	.270	.00	
TOTAL (AF)			-2,837	412.6	621.2	.0	2,238.3	56.2	565.0	.0	1,011.3	8.430	.00	
(AVG)		86,099												

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: 6/13/2022

Water Year: 2022

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	0.00	9.11	55%	55%	
Cachuma Dam (USBR)	332	0.00	0.00	0.00	12.69	65%	64%	
Carpinteria (Fire Stn)	208	0.00	0.00	0.00	10.02	59%	58%	
Cuyama (Fire Stn)	436	0.00	0.00	0.00	4.51	60%	59%	
Figueroa Mtn. (USFS Stn)	421	0.00	0.00	0.00	13.17	62%	61%	12.5
Gibraltar Dam (City Facility)	230	0.00	0.00	0.00	17.70	68%	67%	12.5
Goleta (Fire Stn-Los Carneros)	440	0.00	0.00	0.00	11.88	65%	64%	
Lompoc (City Hall)	439	0.00	0.00	0.01	9.94	69%	68%	12.5
Los Alamos (Fire Stn)	204	0.00	0.00	0.00	9.30	61%	61%	
San Marcos Pass (USFS Stn)	212	0.00	0.00	0.00	26.77	80%	79%	
Santa Barbara (County Bldg)	234	0.00	0.00	0.00	13.38	74%	73%	
Santa Maria (City Pub.Works)	380	0.00	0.00	0.00	7.95	60%	60%	
Santa Ynez (Fire Stn /Airport)	218	0.00	0.00	0.00	10.13	65%	64%	
Sisquoc (Fire Stn)	256	0.00	0.00	0.00	7.47	50%	49%	

County-wide percentage of "Normal-to-Date" rainfall : **64%**

County-wide percentage of "Normal Water-Year" rainfall : **63%**

County-wide percentage of "Normal Water-Year" rainfall calculated assuming no more rain through Aug. 31, 2022 (End of WY2022).

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	1,388.73	4,693	2,425	51.7%	-160	2,151
Cachuma Reservoir	753.**	706.93	192,978	82,731	42.9%	-944	-16,539
Jameson Reservoir	2,224.00	2,208.56	4,848	3,120	64.4%	-35	35
Twitchell Reservoir	651.50	NA	194,971	NA		NA	NA

[Previous Rainfall and Reservoir Summaries](#)

CIMIS Daily Report

Rendered in ENGLISH Units.

Sunday, May 1, 2022 - Tuesday, May 31, 2022

Printed on Wednesday, June 1, 2022

Santa Ynez - Central Coast Valleys - Station 64

Date	ETo (in)	Prcpl (in)	Sol Rad (Ly/day)	Avg Vap Pres (mBars)	Max Air Temp (°F)	Min Air Temp (°F)	Avg Air Temp (°F)	Max Rel Hum (%)	Min Rel Hum (%)	Avg Rel Hum (%)	Dew Point (°F)	Avg Wind Speed (mph)	Wind Run (miles)	Avg Soil Temp (°F)
5/1/2022	0.21	0.00	670	12.2	72.4	46.5	58.1	99	47	74	49.8	4.6	110.0	67.8
5/2/2022	0.21	0.00	658	12.0	74.8	46.0	57.4	100	47	74	49.4	4.4	104.4	68.3
5/3/2022	0.23	0.00	703 R	10.5	79.8	42.6	58.7	100	32	62	45.7	3.6	86.1	68.4
5/4/2022	0.24	0.00	705 R	11.1	86.3	38.6	62.1	99	27	58	47.3	3.2	77.5	68.5
5/5/2022	0.22	0.00	690	12.0	84.8	44.7	59.4	100	27	69	49.3	3.9	92.4	68.9
5/6/2022	0.22	0.00	692	13.4	77.5	45.8	61.0	100	46	73	52.4	3.9	94.3	69.3
5/7/2022	0.21	0.00	645	13.0	75.9	48.7	59.5	100	46	75	51.6	4.7	112.2	69.7
5/8/2022	0.24	0.00	722 R	9.0	70.1	43.9	55.9	100	38	59	41.8	6.3	151.9	69.9
5/9/2022	0.23	0.00	704	6.5 Y	68.6	43.0	55.0	83	23	44 Y	33.6 Y	5.7	137.0	69.5
5/10/2022	0.23	0.00	734 R	7.3 Y	69.7	35.6	52.8	100	23	53 Y	36.4 Y	4.5	108.8	69.1
5/11/2022	0.24	0.00	737 R	7.8	71.0	36.7	53.6	97	18	56	38.1	5.2	124.9	68.9
5/12/2022	0.24	0.00	722 R	9.3	80.0	41.7	57.3	100	25	58	42.6	3.9	94.8	68.8
5/13/2022	0.27	0.00	738 R	9.4	94.9 Y	38.8	64.9	97	10	45	43.0	4.0	96.3	69.1
5/14/2022	0.27 R	0.00	724 R	12.5	95.4 Y	43.5	66.6 Y	100	22	52 Y	50.4 Y	3.5	83.8	69.7
5/15/2022	0.20	0.00	616	15.0	79.8	53.3	62.8	100	45	77	55.4	4.2	99.9	70.5
5/16/2022	0.22	0.00	667	14.1	75.0	52.2	60.8	100	50	78	53.8	4.6	110.6	70.8
5/17/2022	0.21	0.00	680	12.9	74.4	48.8	59.6	100	47	74	51.3	4.0	96.6	71.1
5/18/2022	0.24	0.00	704	13.4	88.5	49.2	65.7	100	33	62	52.3	3.3	78.9	71.3
5/19/2022	0.25	0.00	723	13.1	84.8	48.2	64.5	98	37	63	51.8	3.8	90.6	71.7
5/20/2022	0.22	0.00	708	13.4	73.5	49.7	61.3	93	54	72	52.3	3.9	93.8	72.1
5/21/2022	0.24	0.00	721	13.3	79.6	45.6	62.3	100	44	69	52.1	3.5	84.8	72.3
5/22/2022	0.22	0.00	669	12.9	82.3	48.8	60.4	100	36	72	51.2	3.7	89.2	72.4
5/23/2022	0.24	0.00	714	12.8	85.2	47.7	62.8	100	36	66	51.1	3.6	87.3	72.5
5/24/2022	0.25	0.00	717	14.4	91.9 Y	47.5	68.2	100	33	61	54.3	2.9	70.7	72.7
5/25/2022	0.25	0.00	731	16.1	91.9 Y	50.7	69.1 Y	100	33	67 Y	57.5 Y	3.2	76.5	73.3
5/26/2022	0.18	0.00	587	16.2	77.5	57.3	63.7	100	54	80	57.5	3.5	84.9	74.0
5/27/2022	0.19	0.00	594	14.4	76.5	51.2	63.2	98	50	73	54.4	3.6	86.1	74.1
5/28/2022	0.22	0.00	690	12.5	75.1	47.4	60.8	100	45	69	50.5	4.1	98.1	74.0
5/29/2022	0.26	0.00	752 R	11.9	82.3	46.8	61.8	100	34	63	49.2	4.9	116.6	73.9
5/30/2022	0.24	0.00	742 R	11.3	74.8	45.2	58.5	100	40	68	47.8	4.1	98.3	73.8
5/31/2022	0.24	0.00	738	11.3	80.2	42.8	60.5	100	34	63	47.8	3.4	81.8	73.6
Tots/Avgs	7.13	0.00	697	12.1	79.9	46.1	61.0	99	37	65	49.1	4.1	97.4	71.0

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



CENTRAL COAST WATER AUTHORITY
MEMORANDUM

TO: Ray Stokes, Executive Director
Dessi Mladenova, Controller

FROM: Christine Forsyth, Administrative Assistant

SUBJECT: Monthly Water Deliveries

June 1, 2022

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

<u>Project Participant</u>	<u>Delivery Amount (acre-feet)</u>
Chorro	182.26
López.....	244.04
Shandon.....	0.00
Guadalupe.....	1.22
Santa Maria.....	136.01
Golden State Water Co.....	0.42
Vandenberg.....	0.00
Buellton	4.46
Solvang	52.74
Santa Ynez ID#1.....	0.00
Bradbury.....	<u>634.12</u>
TOTAL	1,255.27

In order to reconcile these deliveries with the DWR revenue meter, which read 1,272 acre-feet, the following delivery amounts should be used for billing purposes:

<u>Project Participant</u>	<u>Delivery Amount (acre-feet)</u>
Chorro	187
López	251
Shandon.....	0
Guadalupe.....	1
Santa Maria	139*
Golden State Water Co	1*
Vandenberg	0
Buellton	5
Solvang	54
Santa Ynez ID#1	0
Bradbury	<u>634</u>
TOTAL	1,272

*Golden State Water Company delivered 1 acre-feet into its system through the Santa Maria turnout. This delivery is recorded by providing a credit of 1 acre-feet to the City of Santa Maria and a charge in the same amount, to the Golden State Water Company.

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

The exchange water is allocated as follows

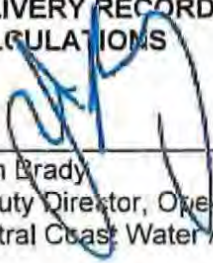
<u>Project Participant</u>	<u>Exchange Amount (acre-feet)</u>
Goleta	0
Santa Barbara	0
Montecito	0
Carpinteria	<u>0</u>
TOTAL	0

Bradbury Deliveries into Lake Cachuma are allocated as follows:

<u>Project Participant</u>	<u>Delivery Amount (acre-feet)</u>
Carpinteria	127
Goleta	352
La Cumbre	45
Montecito	0
Morehart	10
Santa Barbara	100
Raytheon	<u>0</u>
TOTAL	634

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

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



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



A Meeting of the

REVISED

BOARD OF DIRECTORS OF THE CENTRAL COAST WATER AUTHORITY

will be held at 9:00 a.m., on Thursday, May 26, 2022 at 255 Industrial Way, Buellton, California 93427

Members of the public may participate by video call or telephone via URL: https://v.ringcentral.com/join/008789477 or by dialing (650) 419-1505 and entering access Code/Meeting ID: 008789477 #

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

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

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

- Eric Friedman Chairman
Ed Andrisek Vice Chairman
Ray A. Stokes Executive Director
Brownstein Hyatt Farber Schreck General Counsel
Member Agencies: City of Buellton, Carpinteria Valley Water District, City of Guadalupe, City of Santa Barbara, City of Santa Maria, Goleta Water District, Montecito Water District, Santa Ynez River Water Conservation District, Improvement District #1, Associate Member: La Cumbre Mutual Water Company

I. Call to Order and Roll Call

II. CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
B. CLOSED SESSION: CONFERENCE WITH REAL PROPERTY NEGOTIATORS
C. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Agenda Item II, the Closed Session, is anticipated to take 30 minutes. The remainder of the Meeting will start no earlier than 9:30 am.

III. Return to Open Session

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

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

V. Consent Calendar

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

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

Continued

* Indicates attachment of document to original agenda packet.

VI. Executive Director's Report

- * A. Temporary Warren Act Contract Between CCWA and United States Bureau of Reclamation
Staff Recommendation: Informational item only.
Staff Recommendation: That the Board authorize the Executive Director to execute a fee agreement with Brownstein Hyatt Farber Schreck LLP for government relations services on a month-to-month basis
- B. Water Supply Situation Report
Staff Recommendation: Informational item only.
- * C. 2022 Supplemental Water Purchase Program
 1. Mojave Water Agency
Staff Recommendation: That the Board Adopt Resolution No. 22-04: A Resolution Of The Board Of Directors Of The Central Coast Water Authority Approving The 2022 Purchase Of Supplemental State Water Project Water Supplies From Mojave Water Agency
 2. State Water Contractor Dry Year Transfer Program
Staff Recommendation: That the Board authorize the Executive Director to enter into contracts with numerous Dry Year Transfer Program sellers on behalf of three CCWA Participants
- D. Update on the Voluntary Agreement, Jennifer Pierre, State Water Contractors
Staff Recommendation: Informational item only.
- * E. CCWA/San Luis Obispo County State Water Transfer Proposal
Staff Recommendation: That the Board authorize the Executive Director to negotiate a contract based on the attached draft term sheet.
- * F. Aquaterra Water Bank
Staff Recommendation: Informational item only.
- * G. Amendment to Chemical Contract: (1) ChemTrade Inc. for Liquid Aluminum Sulfate at an initial cost of \$476.27 per dry ton and (2) JCI Jones Chemical Inc. for Liquid Chlorine at an initial cost of \$1,838 per dry ton
Staff Recommendation: That the Board Authorize the Executive Director to execute the contract amendments allowing a quarterly pricing review for the following chemical vendors and initial pricing:
 - Chemtrade LLC for Liquid Aluminum Sulfate at a cost of \$476.27 per dry ton.
 - JCI Jones Chemical for Liquid Chlorine at a cost of \$1,838.00 per ton.
- * H. State Water Contractors Update
Staff Recommendation: Informational item only.
- * I. Legislative Report
Staff Recommendation: Informational item only.

VII. Reports from Board Members for Information Only

VIII. Items for Next Regular Meeting Agenda

IX. Date of Next Regular Meeting: June 23, 2022

X. Adjournment



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

will be held at 2:00 p.m., on Thursday, June 9, 2022
 at 255 Industrial Way, Buellton, California
 and

Rincon Room, 1021 Anacapa Street, Santa Barbara, California

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

URL: <https://v.ringcentral.com/join/597324184>

or by dialing (650) 419-1505 and entering access Code/Meeting ID: 597324184 #

Eric Friedman
 Chairman
 Ed Andrisek
 Vice Chairman
 Ray A. Stokes
 Executive Director

Brownstein Hyatt
 Farber Schreck
 General Counsel

Member Agencies

City of Buellton
 Carpinteria Valley
 Water District
 City of Guadalupe
 City of Santa Barbara
 City of Santa Maria
 Goleta Water District
 Montecito Water District
 Santa Ynez River Water
 Conservation District,
 Improvement District #1

Associate Member

La Cumbre Mutual
 Water Company

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

I. Call to Order and Roll Call

II. CLOSED SESSION

- A. CLOSED SESSION: CONFERENCE WITH REAL PROPERTY NEGOTIATORS
 Government Code section 54956.8
 Property: *Warren Act Contract*
 Agency negotiator: *Ray Stokes*
- B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
 Significant exposure to litigation pursuant to Government Code § 54956.9(d)(2)
 Number of cases: 1

Agenda Item II, the Closed Session, is anticipated to take 30 minutes. The remainder of the Meeting will start no earlier than 2:30 p.m.

III. Return to Open Session

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

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

V. Executive Director’s Report

- * A. Temporary Warren Act Contract Between CCWA and United States Bureau of Reclamation
Staff Recommendation:
 1. Adopt Resolution No. 2022-05 for Approval of Temporary Warren Act Contract No. 22-WC-20-5954 with United States Bureau of Reclamation approving the Temporary Warren Act Contract and authorizing the Chair of the Board to execute the Temporary Warren Act Contract; and
 2. Authorize the Chair of the Board to do and cause to be done any and all acts and things necessary or appropriate to allow for CCWA’s continued use of the Cachuma Project on a temporary, interim, or emergency basis for a period not to exceed 90 days.

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

* Indicates attachment of document to original agenda packet.

continued

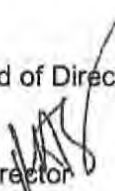
- VI. Reports from Board Members for Information Only
- VII. Items for Next Regular Meeting Agenda
- VIII. Date of Next Regular Meeting: June 23, 2022
- IX. Adjournment



CENTRAL COAST WATER AUTHORITY

MEMORANDUM

June 13, 2022

TO: CCWA Board of Directors
FROM: Ray Stokes 
Executive Director
SUBJECT: Cancellation of June 23, 2022 Board of Directors Meeting

This memo is notice that after consultation with Chairman Freidman, the CCWA Board meeting scheduled for June 23, 2022 has been canceled.

The next regular meeting of the CCWA Board of Directors is scheduled for July 28, 2022.

Please call me if you have any questions.

RAS

cc: Operating Committee
Stephanie Hastings, Brownstein Hyatt Farber and Schreck, LLP

RESOLUTION NO. 821

**A RESOLUTION OF THE BOARD OF TRUSTEES
OF THE SANTA YNEZ RIVER WATER CONSERVATION DISTRICT
IMPROVEMENT DISTRICT NO.1
ESTABLISHING THE APPROPRIATION LIMIT FOR FISCAL YEAR 2022/2023
PURSUANT TO ARTICLE XIII B OF THE CALIFORNIA CONSTITUTION**

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

WHEREAS, the District is required pursuant to Government Code Section 7910 to establish by Resolution its appropriation limit for the 2022/2023 fiscal year; and

WHEREAS, the documentation used in the determination of said limit has been available to the public at the District office and on the District website for at least fifteen (15) days prior to the date of this Resolution, and was published in a newspaper of general circulation within the District on June 9, 2022 and on June 16, 2022.

BE IT HEREBY RESOLVED that, in accordance with information published by the California Department of Finance, the appropriation limit of the Santa Ynez River Water Conservation District, Improvement District No.1, for the 2022/2023 fiscal year is established at \$2,300,918.

WE, THE UNDERSIGNED, being duly qualified President and Secretary, respectively, of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1, do hereby certify that the above and foregoing Resolution was duly and regularly adopted and passed by the Board of Trustees of said District at a Regular Meeting held on June 21, 2022, by the following roll call vote:

AYES, in favor thereof, Trustees:

NOES, Trustees:

ABSENT, Trustees:

Jeff Clay, President

ATTEST:

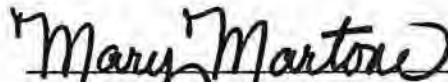
Mary Martone, Secretary to the Board of Trustees

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

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 will consider adopting a Resolution setting the limit of appropriations pursuant to Article XIII B of the Constitution of the State of California for fiscal year 2022/2023 at a Regular Meeting to be held on Tuesday, June 21, 2022, at 3:00 p.m.

Documentation used in determining said limit is available to the public at the District office located at 3622 Sagunto Street, Santa Ynez, and on the District's website as of the date of this notice. To view at the District office please call (805) 688-6015 to make an appointment or visit the District's outside bulletin board.



Mary Martone
Secretary to the Board of Trustees

Dated: May 17, 2022

Posted: Wednesday, May 18, 2022 at the District Office

Newspaper Publication Dates:
Thursday, June 9, 2022
Thursday, June 16, 2022

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

2022/2023 FISCAL YEAR APPROPRIATION LIMITATION CALCULATION

Population and California per capita personal income change data provided by the State of California Department of Finance effective January 1, 2022 are used in computing the 2022/2023 Appropriation Limitation Calculation as follows:

2021/22 Appropriation Limit	\$2,136,415
Per Capita Personal Income Percentage Change over Prior Year	7.55 percent
Population Change over Prior Year Santa Barbara County	0.14 percent
Per Capita converted to a ratio:	$\frac{7.55 + 100}{100} = 1.0755$
Population converted to a ratio:	$\frac{0.14 + 100}{100} = 1.0014$
CPI Factor	1.0755
Population Factor	1.0014
CPI Factor X Population Factor	1.0770
$1.0770 \times \$2,136,415 =$	<u>\$2,300,918</u>

A Resolution will be presented to the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1, for adoption of the 2022/2023 Appropriation Limit at a Regular Meeting on June 21, 2022.



Mary Martone - Secretary to the Board of Trustees

Posted: Wednesday, May 18, 2022 at the District Office and on the District Website

Newspaper Publication Dates:

Thursday, June 9, 2022

Thursday, June 16, 2022

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



**FINAL BUDGET
FY 2022/2023**



BOARD OF TRUSTEES

Jeff Holzer
Division 1

Jeff Clay - President
Division 2

Lori Parker
Division 3

Michael Burchardi
Division 4

Brad Joos - Vice President
Trustee-At-Large

This Budget was prepared under the direction of:

Paeter Garcia, General Manager

Mary Martone, Assistant General Manager/Secretary to the Board

STAFF CONTRIBUTORS

Eric Tambini, Water Resources Manager

Joe Come', Operations & Maintenance Superintendent

MISSION STATEMENT

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

DISTRICT OVERVIEW, STRUCTURE AND STAFFING

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

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

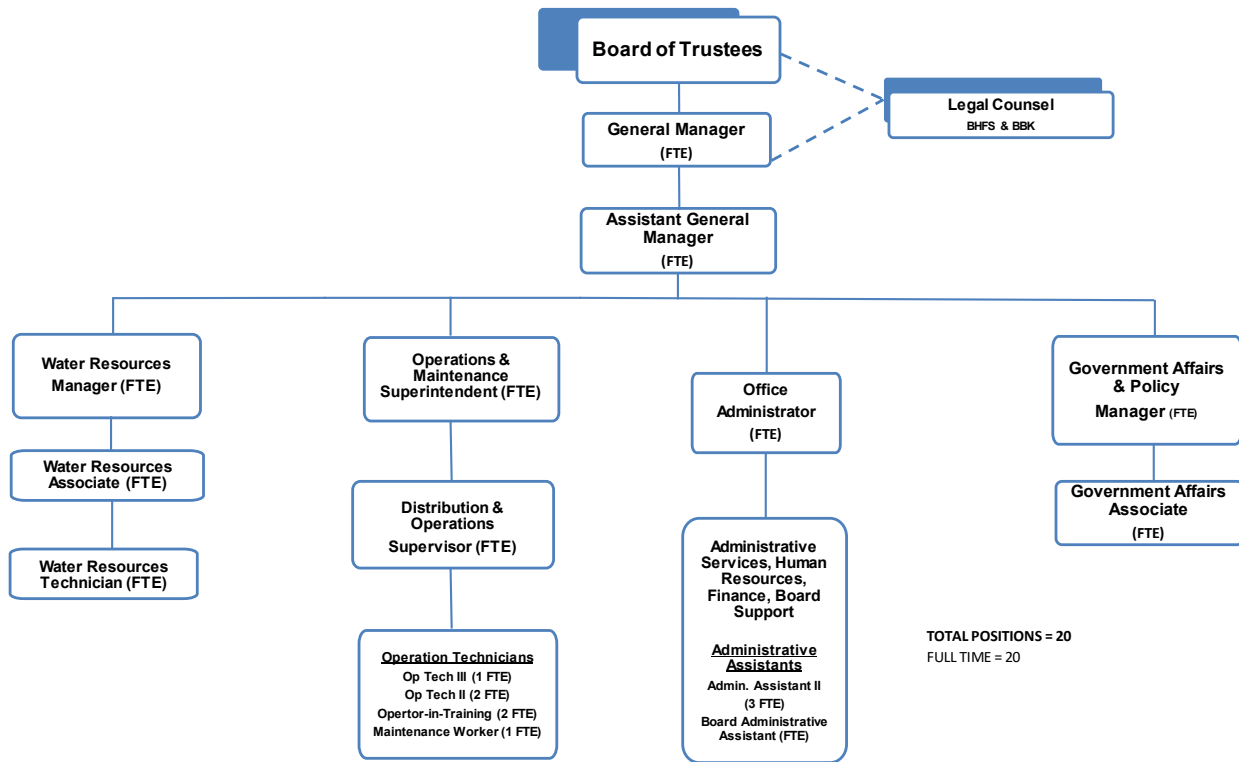
The District obtains its water supplies from the Cachuma Project/State Water Exchange, direct diversions from the Cachuma Project (as needed), contractual deliveries from the State Water Project as a member agency of the Central Coast Water Authority, production from the Santa Ynez Uplands Groundwater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

Operational Information

- District Pipelines (in miles) = 92
- Number of Booster Pump Stations = 5 with 11 pumps
- Number of Active Wells = 19
- SWP/ID No.1 Turnout = 5 pumps
- Number of water storage reservoirs/tanks = 4 with a total capacity of 16.7 million gallons
- Current number of approved, funded full-time equivalent (FTE) positions = 20

ORGANIZATION CHART

FISCAL YEAR 2022/2023



EXECUTIVE SUMMARY

FISCAL YEAR 2022/23

BUDGET PROCESS

The District's fiscal year budget is one of the most important documents prepared by management for the Board of Trustees. The financial accounts and line items reflected in this document and the FY 2022/23 Final Budget describe the annual fiscal year budget beginning July 1, 2022 and ending on June 30, 2023.

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

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

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

REPORTING BASIS

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

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

The FY 2022/23 Final Budget was developed from the Uniform System of Accounts for Water Utilities which includes a set of tables providing details for revenue and expenditure categories of the District. **The tables contained in this Report are intended to be reviewed in connection with the FY 2022/23 Final Budget document.** The accounting for the

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

BUDGET AND RESERVE FUND BACKGROUND

The District's 2016 Water Rate Study, inclusive of the approved Water Rate Schedule, was adopted by the District's Board of Trustees on December 13, 2016 and became effective on February 1, 2017. The Water Rate Study and Schedule provide the foundation for incrementally increased revenues over a five-year period. Rates were developed to meet operating expenses, debt service obligations, capital improvement projects (partially), and other planned expenditures. The Water Rate Study also includes a Reserves analysis and a plan for adding to the District's reserve funds over the same five-year period to allow for recovery of reserve deficits that occurred over the previous six-year period. The last rate adjustment pursuant to the Water Rate Schedule went into effect on July 1, 2021 and remains in effect for the FY 2022/23 budget cycle. The FY 2022/23 Final Budget proposes to fully fund all expense categories, including Operations and Maintenance (O&M), General and Administrative (G&A), Debt Service, Other Expenses and Special Studies, and Capital Improvement Project program costs, leaving a net balance of \$279,031 which will be added to the District's reserves.

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

Table 1

RESERVE BALANCES

	June 30, 2021	March 31, 2022¹
<u>BOARD RESERVED</u>		
Debt Repayment Obligation	\$619,153	\$1,960,529 ²
Repair & Replacement	\$2,817,609	\$4,353,712
Plant Expansion	\$4,100,041	\$5,636,144
Subtotal	\$3,963,101	\$11,950,385
<u>RESTRICTED RESERVE</u>		
Dev. Fee; SY Septic	\$109,212	\$109,212
State Water Project Reserve ³	\$3,000,000	\$3,000,000

1. Amounts reflected in this column represent the reserve balance at 9-months of current FY 2021/22. The year-end reserve amount will change at June 30, 2022 to reflect a balance based on actual accounting for projects and debt service expenditures.
2. This amount represents a Debt Payment Obligation reserve balance at 9-months of current FY 2021/22. The year-end reserve amount in this category will change at June 20, 2022 to reflect payments for the 2004A Bond payable on June 1, the SWP payment due on June 1, and the USBR Safety of Dams Repayment Contract payment.
3. One year set aside payment established to guarantee ID No.1's contractual debt obligation in the event of a default by the City of Solvang.

BUDGET IN DETAIL

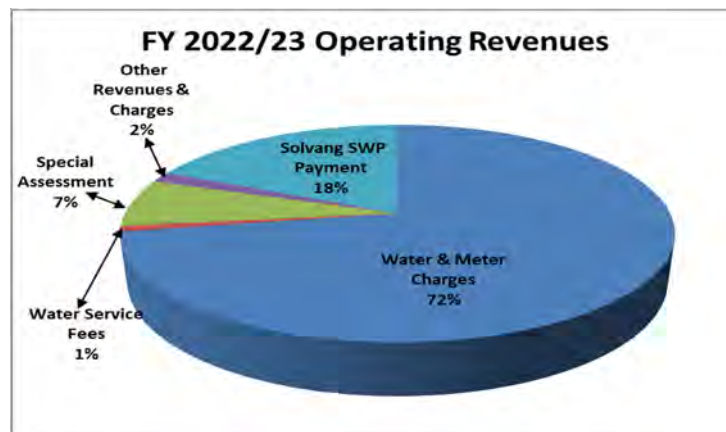
The specific revenue and expenditure categories of the budget account for the adopted water rates and revenues, prior year audit data, and financial account information. The categories are displayed using actual 9-month revenue and expenditure data from the current fiscal year, and are also projected to show the fiscal year-end figures (June 30, 2022). This information is used as part of the evaluation to develop the FY 2022/23 Final Budget.

The FY 2022/23 Final Budget of \$12,315,275 reflects an overall 10% decrease compared to the projected June 30, 2022 year-end results, but is 4.5% less than the financial projections adopted as part of the 2016 Water Rate Study. As noted above, the FY 2022/23 Final Budget assumes that water rates remain static based upon the last rate increase that went into effect July 1, 2021. The water rates are applied to forecasted water sales and meter charges in FY 2022/23 based on actual sales and charges in the current and prior fiscal years. The budget also assumes no increase in the \$875,000 Special Assessment / Ad Valorem Tax, even though the authorized limit for FY 2022/23 is \$2,300,918. Other factors such as capital facilities charges and interest income are integral parts of the forecast. The information below shows that budgeted revenues will meet projected operating expenditures and debt service obligations, and result in a projected net revenue balance of \$3,459,348. This revenue balance will fund the Other Expenses and Special Studies categories as further detailed in the Final Budget, leaving a balance of \$2,675,848 in net operating revenues, which will fully fund the proposed \$2,396,817 Capital Improvement Projects (CIP) Program for FY 2022/23, leaving a net balance of \$279,031 which will contribute to the District's reserves.

SUMMARY OF REVENUES

The District operates according to cost of service, with revenues derived primarily from water sales, the special tax assessment, fixed monthly service charges, and other water services. For the FY 2022/23 Final Budget, the total operating revenues are projected at \$12,315,275 including the SWP revenue of \$2,240,562 from the City of Solvang. Actual projected total revenues are \$10,074,713 without the SWP pass-through payment. Table 2 below summarizes the distribution of the District's projected revenue sources for FY 2022/23.

Table 2

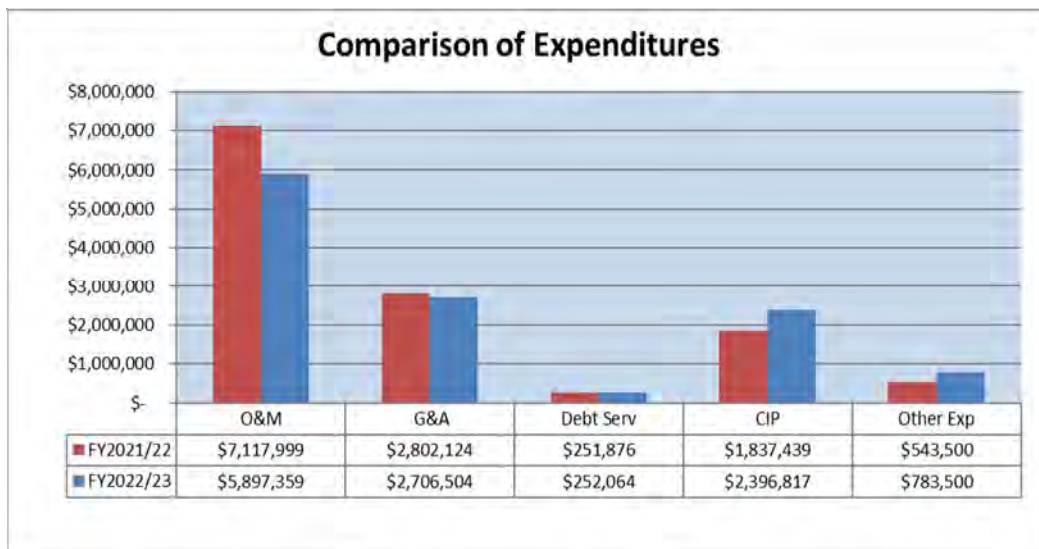


SUMMARY OF EXPENDITURES

Based on the FY 2022/23 Final Budget, the District's projected water sales and other operating revenues, including the FY 2022/23 special tax assessment, will fully fund the overall operating expenditures, including all categories of Operation & Maintenance, General & Administrative, and Debt Service, and result in a net revenue balance of \$3,459,348. This net balance of

operating revenues is proposed to fund the District's Other Expenses and Special Studies categories as further detailed in the Final Budget. Thereafter, a net revenue balance of \$2,675,848 is proposed to fully fund the District's FY 2022/23 CIP program. Table 3 below shows all expenditure categories for FY 2022/23 in comparison to the previous fiscal year.

Table 3

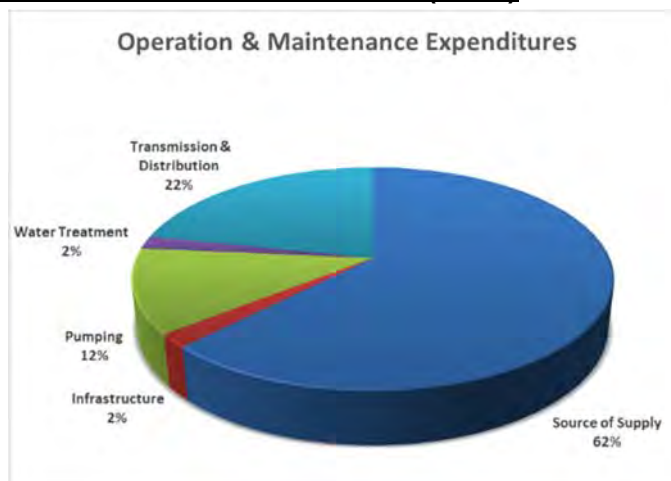


EXPENDITURES - OPERATION AND MAINTENANCE (O&M)

The overall budget for O&M expenditures for FY 2022/23 is 20% (\$1,220,640) less than last year's FY 2021/22 budget, with the Source of Supply category having the single largest decrease. This is directly attributable to the California Department of Water Resources (DWR) charges for State Water Project (SWP) deliveries being reduced by \$654,333 for ID No.1 and \$691,321 for the City of Solvang's passthrough expenses for the year. The reductions are a result of reduced costs in the Transportation Minimum expense, Water System Revenue Bond, and Transportation Capital expenses. Additionally, the United States Bureau of Reclamation (USBR) charges for Cachuma Project supplies reflect a \$32,780 reduction in the coming fiscal year. Other categories of Pumping, Water Treatment, and Transmission & Distribution all realized slight increases based upon inflationary and vendor increases. Table 4 below illustrates the distribution of costs for the O&M expense categories.

Table 4

EXPENDITURES - GENERAL AND ADMINISTRATION (G&A)



The overall budget for G&A expenditures for FY 2022/23 is 3.5% (\$95,619) less than last year's FY 2021/22 budget. The decrease is primarily due to the removal of the Other Post-Employment Benefits (OPEB) line-item #21001 which was \$235,000 in FY 2021/22. Through discussion with the District's auditors, the decision was made to remove this line-item from the forecasted budget due to the fact that there is no direct "cash" transaction that occurs with reference to this line-item. The OPEB amount is calculated by a third-party actuarial consultant as required and recorded as part of the District's annual audit process. Once the liability is determined, it is added to the District's Balance Sheet for reporting purposes.

Other administrative expenses, including payroll taxes, office maintenance, office supplies, and miscellaneous service contracts are projected to increase slightly due to inflationary and vendor cost increases related to the current economic climate. Notably, the slight increases are partially offset by reductions in health and dental expenses as estimated by ACWA JPIA for calendar year 2023 and removal of beneficiaries from the plan (adult dependents).

The proposed District-wide salaries reflect a slight increase due to a proposed 5.4% Cost of Living Adjustment (COLA) and merit increases in accordance with the District's adopted Personnel Policy and Salary Schedule. The COLA is consistent with industry standards and the District's past practice, and is based upon the Consumer Price Index (CPI) nine-month calculation data (July-March). The COLA adjustment is obtained by averaging the prior nine-month indexes for all urban wage earners and clerical workers and comparing that average to the previous nine-month averaged data for the Los Angeles-Long Beach-Anaheim area of California. Table 5 below illustrates the distribution of costs for the G&A expense categories.

Table 5



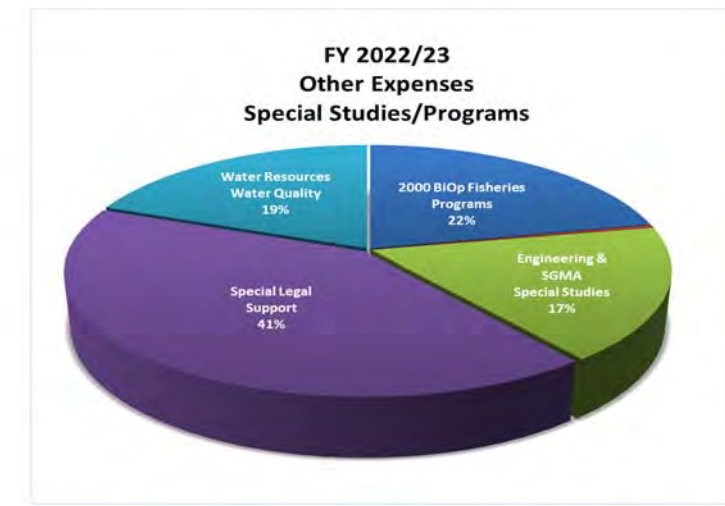
DEBT SERVICE

The District's Debt Service accounts for FY 2022/23 include (1) the USBR Safety of Dams repayment (principal and interest) which remains constant for the 50-year term at \$26,976 per year, and (2) the Series 2004A Bond repayment (principal and interest) of \$225,088, which represents the final payment in accordance with the Bond repayment terms. As detailed above, the FY 2022/23 operating revenues, inclusive of the special tax assessment, are projected to fully fund the District's operating expenses plus debt service.

OTHER EXPENSES

For FY 2022/23, the budgeted amount of \$783,000 in the Other Expenses category will be funded by the net revenue balance of \$3,459,348. The FY 2022/23 budget for Other Expenses is \$240,000 higher than what was budgeted in FY 2021/22, which is primarily due to estimated Special Legal costs associated with the current litigation matter involving the Central Coast Water Authority and the Santa Barbara County Flood Control and Water Conservation District. As fully detailed in the 2022/23 Final Budget, the cost categories are projected to shift in several ways, which reflect ongoing work related to the 2019 State Water Resource Control Board Order and related studies for the Cachuma Project, the ongoing federal Endangered Species Act Section 7 re-consultation process for the Cachuma Project, ongoing water right proceedings in the Lower Santa Ynez River, an updated District-wide water system study, and the Sustainable Groundwater Management Act, among other matters. Table 6 below illustrates the distribution of costs for the Other Expenses and Special Studies categories.

Table 6



CAPITAL IMPROVEMENT PROJECTS (CIP)

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

On the other hand, when operating revenues are healthy and able to meet and exceed operating expenses, net revenues are available to fund the District’s Debt Service and Other Expenses (including Special Studies) and then contribute to building reserves and/or funding the CIP program. In FY 2018/19, revenues began to stabilize, allowing for net revenues to be added to reserves for capital improvements. In FY 2021/22, the District was able to budget for important infrastructure investments. While many of those CIP projects were undertaken and completed, several of them were suspended or delayed due to the COVID-19 pandemic and related orders and restrictions issued by federal, state, and local authorities, as well as production halts and shipping delays for various parts and materials. Those capital projects that were unable to be completed during FY 2021/22 have been rolled forward into the FY 2022/23 Final Budget.

For FY 2022/23, a total of \$2,396,817 is budgeted for the CIP program. This amount is \$559,378 more than the \$1,837,439 CIP budget in FY 2021/22, where nearly half of the increase is attributable to purchasing the remaining meters to complete the District's systemwide meter replacement program. Of particular note, the entire CIP program for FY 2022/23 will be funded from the District's net revenues of \$2,675,848 (after funding Other Expenses and Special Studies) and will not require funding from District reserves. The CIP items include projects needed for replacements, betterments, upgrades, and repairs of the District water supply, production, and distribution system. Projects that were not completed during FY 2021/22 are identified as "Rollforward Projects" below.

Account 900332 (\$125,000) – Water Treatment Plant/Building (Rollforward Project) – This account was originally budgeted to include a combination steel building to house a water treatment and control system for the District's office wells, along with a garage bay for District equipment and needed expansion and upgrade of field crew quarters. Final architectural and engineering design work has been completed. The budgeted amount for FY 2022/23 has been reduced from the prior fiscal year, which will be directed to design modifications to incorporate a District-designated Board Room, finalizing the building design, and initial permitting costs and processing.

900333 (\$285,000) – Cr6 Blending Station/Facilities (Rollforward Project) – With the resurgence of a new Cr6 water quality standard (10 ppb MCL) that is expected to be re-adopted by the State Water Resources Control Board in the coming fiscal year. Funds are budgeted for engineering and design of treatment and distribution facilities to comply with the new regulation.

900372 (\$65,750) – Office Computers, Furniture & Equipment - This account includes replacement of the District's main network server which is at the end of its lifecycle. The server replacement cost includes the purchase of equipment and programming by the District's IT vendor (\$21,050).

Additional funds are included for security controls that will be implemented to reduce cybersecurity risks, which include the migration to 365 exchange that will provide an umbrella that houses several software components and necessary equipment. This project consists of the purchase of equipment, software, and programming by the District's IT vendor (\$14,700).

The remaining funds (\$30,000) will be utilized for the initial phase of implementing a Laserfiche Enterprise Document Management System. Since the District's formation, the District continues to maintain much of its documentation in original form. Limited space has become a factor in meeting document storage needs, and a Laserfiche Document Management System will modernize the business operations of the District and provide more efficiency for searching, locating, and storing documents.

900318 (\$710,000) – Meter Replacement/Utility Billing – The Districtwide meter replacement program began in FY 2019/20. This multi-phase replacement program consists of purchasing and installing new meters to replace existing ones that have been in service for approximately 20 years and have diminished capabilities to provide accurate accounting of water use. Phase 1, which began mid-year FY 2019/20, resulted in a total of 292 meters being replaced, along with the purchase of necessary hand-held devices for meter reading. Phase 2 was intended to commence at the beginning of FY 2020/21, but was delayed due to COVID-19. During FY 2021/22, a total of 981 meters were budgeted for and installation and will be completed by June 30, 2022. The FY 2022/23 Final Budget amount (\$710,000) will complete Phase 3 of the meter replacement program.

900371 (\$61,250) – Office Building/Shop Improvements (Rollforward Project) – This account includes construction modifications to the existing staff room at the District office to create a semi-private office space for the Office Administrator position, as well as minor renovations to the office kitchen to upgrade counter tops, cabinets, electrical outlets, and fixtures that have been in place since the 1960s. Both modifications/upgrades are estimated at a total cost of \$56,250. The remaining \$5,000 will be utilized for upgrades to the shop area, including additional shelving for tools and equipment, workbenches, and related work stationing for the field crew.

900376 (\$20,000) – Communication/Telemetry Equipment (SCADA) – This account includes \$20,000 to add Well No.15 to the SCADA monitoring network. The project will include on-site telemetry equipment (e.g., radio, controller, and other appurtenances), and programming of the on-site controller, as well as integration into and programming of the newly upgraded SCADA system.

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

900378 (\$10,000) – Major Tools, Shop & Garage Equipment – Funds will be used as needed for the purchase and/or replacement of major tools and equipment during the fiscal year.

900350 (\$332,781) – Upland Wells (Partial Rollforward Project) – Funds will be used to upgrade the electrical panels at Well Nos. 7, 25, and 28 for a total of \$182,781. The work associated with these three well sites are Rollforward Projects from FY 2021/22 due to lengthy fabrication time extending over 50 weeks which caused significant parts and materials delays. The current electrical panels at each site are substantially obsolete and pose potential safety hazards. The panel components need to be improved to current day standards which will improve efficiency and operational safety. Funds to complete this task include design work, construction drawings, specifications, arch flash analyses, and installation work for Well Nos. 7 and 25. Costs for the Well No. 28 electrical panel will include Final design work, construction drawings, bid support from a licensed electrical engineer, and a materials purchase deposit. Installation work for Well No. 28 will be budgeted in the next fiscal year.

New project work under this line-item (\$150,000) includes costs for pump and motor replacements at Well Nos. 15 and 24.

900106 (\$60,000) – Rehabilitate/Replace/New Transmission Mains/Laterals/Valves (Partial Rollforward Project) – Funds will be used for the replacement of mainline valves that are broken or inoperable at seven locations, as well as valve insertions at various locations within the District (\$28,000). This was budgeted last fiscal year 2021/22; however, all work was not completed due to various circumstances including materials shipping delays and workload prioritization.

Additionally, \$23,700 will be utilized for engineering services to develop plans, specifications, and surveying to relocate the District’s water line located on the old Highway 154 bridge spanning Alamo Pintado Creek. The need for this project is due to Caltrans’ removal and replacement of the old Highway 154 bridge (now used as a pedestrian bridge). The construction portion of the project will be included in the next fiscal year budget.

The remaining \$8,300 will be utilized for any mainline breaks or mainline reconfiguration that may occur or be necessary during the fiscal year.

900170 (\$96,522) – 6 CFS Well Field (Rollforward Project) – Funds (\$66,522) will be used to upgrade the electrical panels at the 6 CFS well field. The current electrical panels are substantially obsolete and pose potential safety hazards. The panel components need to be improved to current day standards which will improve efficiency and operational safety. This is a Rollforward Project from FY 2021/22 due to lengthy fabrication time extending over 50 weeks which caused significant parts and materials delays. Funds to complete this task include Final design work, construction drawings, bid support from a licensed electrical engineer, and a materials purchase deposit. Construction will be budgeted in the next fiscal year.

This account also includes \$30,000 for the replacement of a pump and motor at the 6 CFS well field.

900335 (\$5,000) – SWP Pump Station/Pipeline - This account includes funds for the needed replacement of valves and mechanical equipment at the Mesa Verde Pump Station to ensure reliable deliveries of SWP entitlement and Cachuma exchange water.

900373 (\$47,000) – Fleet Vehicle Replacement (Rollforward Project) – This account includes funds for the purchase of one replacement fleet vehicle (field truck). This vehicle will replace an existing 2004 model with approximately 152,000 miles. The Board awarded the bid for the vehicle purchase in October of 2021 and the order was placed that same month. To date, the vehicle has not been received due to factory shut downs. The vehicle is due to be received sometime in FY 2022/23.

900171 (\$102,313) – 4 CFS Well Field (Partial Rollforward Project) – This account includes \$22,000 for roof repairs to a wooden vault and installation of a new drain line. This project is required to maintain the integrity of the well. New project work under this line-item (\$30,000) includes the cost for a pump and motor replacement at the 4 CFS well field.

The remaining \$50,313 will be used to complete the installation of a manual transfer switch for emergency generator use at the 4 CFS well field. Additionally, a voltage monitor will be installed within the existing electrical panels due to voltage fluctuations delivered by PG&E at this location. Estimated contractor costs include all materials and labor (\$46,976). Electrical engineer time for bidding support, submittal review, and construction support is estimated at \$5,425.

900195 (\$50,313) – Refugio 2 Booster Pump Station – Funds will be utilized to complete the installation of a manual transfer switch for emergency generator use at the Refugio 2 Booster Pump Station site. Additionally, a voltage monitor will be installed within the existing electrical panels due to voltage fluctuations delivered by PG&E at this location. Estimated contractor costs include all materials and labor (\$46,976). Electrical Engineer time for bidding support, submittal review, and construction support is estimated at \$5,425.

900196 (\$174,573) – Alamo Pintado Booster Pump Station (Partial Rollforward Project) – Funds from this account will be used to upgrade the electrical panel, add a manual transfer switch, and complete an arch flash analysis at the Alamo Pintado Booster Pump Station, which is substantially obsolete and poses a potential safety hazard. The current electrical panel and components need to be improved to current day standards which will improve efficiency and operational safety. Part of the work associated with this project is a Rollforward Project from FY 2021/22 due to lengthy materials fabrication and delivery times estimated between 15 and 25 weeks.

900197 (\$63,793) – Refugio 3 Booster Pump Station (Rollforward Project) – Funds from this account will be used to upgrade the electrical panel at the Refugio 3 Booster Pump Station, which is substantially obsolete and poses a potential safety hazard. The current electrical panel and components need to be improved to current day standards which will improve efficiency and operational safety. Lengthy materials fabrication and delivery times are estimated between 25 and 35 weeks.

900198 (\$76,522) – Meadowlark Booster Pump Station (Partial Rollforward Project) – Funds from this account will be used for two different projects. The first project is the construction of an open sided metal roof pole barn structure to house the District's large equipment, trailers, and materials to mitigate weather damage currently being incurred for lack of protective cover. Approximately \$10,000 in materials and supplies is anticipated to be spent on this project. The construction work will be completed by the District's field team.

The remaining \$66,522 will be used to upgrade the electrical panels at the Meadowlark Booster Pump Station. The current electrical panels are substantially obsolete and pose potential safety hazards. The panel components need to be improved to current day standards which will improve efficiency and operational safety. This project is a Rollforward Project from FY 2021/22 due to lengthy fabrication time extending over 50 weeks which caused significant parts and materials delays. Funds to complete this task include Final design work, construction drawings, bid support from a licensed electrical engineer, and a materials purchase deposit. Construction will be budgeted in the next fiscal year.

900102 (\$110,000) – Zone 1, 2, 3 Reservoir – Funds for this project will be used for cleaning, inspection, and repair work at the 3.2-million-gallon concrete water storage tank (Zone 3 Reservoir). Work will include clean-out and resealing floor joints, preparing and recoating the 12" inlet over-flow piping, crack sealing for columns and column footings, and waterproofing of footings and columns as needed.

If additional CIP expenditures are needed, funding will come from the Repair and Replace and/or Plant Expansion Reserves. If such funding is not sufficient or undesirable, the projects will be deferred or re-prioritized.

FY 2022/23 FINAL BUDGET CONCLUSION

The FY 2022/23 Final Budget revenues of **\$12,315,275** are projected to be sufficient to meet total O&M expenses, G&A expenses, and Debt Service obligations of **\$8,855,927** with a net revenue balance of **\$3,459,348**. This net revenue balance of \$3,459,348 will be used to fund the \$783,500 of Other Expenses (including Special Studies) for necessary engineering, design, legal, and consulting work to maintain protection and preservation of the District's water rights and to ensure compliance with various regulatory orders and requirements applicable to the District's rights and water supply portfolio, including but not limited to state-mandated water quality standards and fishery protections applicable to the Cachuma Project in accordance with State Water Resources Control Board Orders and the federal Endangered Species Act. The remaining net revenue balance of **\$2,675,848** will be used to fully fund the District's FY 2022/23 CIP program as detailed above in the amount of **\$2,396,817**. The remaining net revenue balance of **\$279,031** will be added to the District's Reserves.

RECOMMENDATION

That the Board of Trustees adopt Resolution No. 822 approving and adopting the FY 2022/23 Final Budget and requesting the collection of an assessment levy of \$875,000 for Fiscal Year 2022/23.

RESOLUTION No. 822

**A RESOLUTION OF THE BOARD OF TRUSTEES
OF THE SANTA YNEZ RIVER WATER CONSERVATION DISTRICT
IMPROVEMENT DISTRICT NO.1
ADOPTING THE FINAL BUDGET FOR FISCAL YEAR 2022/2023
AND REQUESTING AN ASSESSMENT LEVY REQUIRED TO COLLECT \$875,000**

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

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

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

WHEREAS, Water Code Section 74630, provides the statutory basis which authorizes the District to levy annual assessments to meet its obligations under a voter-approved contract, including the Contract debt obligations, and the continuing operation and maintenance of such project works; and

WHEREAS, the District refinanced its Contract debt obligations with the issuance of bonds in 1988, 1993, and 2004 and continues to pay its debt obligations incurred under the Contract, and continues to incur and pay the costs of the continuing operations, maintenance, repair, replacement, and betterment of the project works; and

WHEREAS, the bond documents require that the income and receipts of the bond fund will be derived from the collection of an ad valorem tax assessment to be collected at the same time and in the same manner as is provided by law for the collection of annual property taxes which may be levied for purposes of the District, which as collected is paid into the bond fund as needed; and

WHEREAS, the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1, is required to forward to the Board of Supervisors and the County Auditor of the County of Santa Barbara an estimate, in writing, of the amount of ad valorem tax assessment money needed for the purposes of the District for the ensuing fiscal year July 1, 2022 to June 30, 2023, and any reserve funds; and

WHEREAS, in accordance with information published by the California Department of Finance, the appropriation limit of the Santa Ynez River Water Conservation District, Improvement District No.1 for fiscal year 2022/2023 is established at \$2,300,918 and the District adopted Resolution No. 821 on June 21, 2022 establishing said appropriation limit for fiscal year 2022/2023 pursuant to Government Code Section 7910; and

WHEREAS, notwithstanding the District's fiscal year 2022/2023 appropriation limit of \$2,300,918, and notwithstanding the financial projections from the District's 2016 Water Rate Study that the District would collect an assessment levy in the amount of \$875,000 in fiscal year 2017/2018, and \$1,000,000 in fiscal year 2018/2019, and \$1,125,000 in fiscal year 2019/2020, and \$1,250,000 in fiscal year

2020/2021, and \$1,250,000 in fiscal year 2021/2022, and \$1,250,000 in fiscal year 2022/2023, the District has limited its assessment amount to \$875,000 for fiscal years 2017/2018 through 2021/2022, and it has been determined that an assessment levy of \$875,000 for fiscal year 2022/2023 will provide sufficient funds to meet the obligations of the District as stated above; and

WHEREAS, the Board of Trustees previously has considered a preliminary budget for the fiscal year 2022/2023.

BE IT HEREBY RESOLVED, by the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1, that the Secretary to the Board is hereby authorized and directed to forward to the Board of Supervisors and the County Auditor of the County of Santa Barbara, in writing, a request for an assessment levy of \$875,000 for the fiscal year 2022/2023; and

BE IT FURTHER RESOLVED that the Final Budget as set forth in Exhibit "A" attached hereto and incorporated by this reference is hereby approved and adopted for the fiscal year 2022/2023.

WE, THE UNDERSIGNED, being duly qualified and acting 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 the 21st day of June 2022, by the following roll call vote:

AYES, in favor thereof, Trustees:

NOES, Trustees:

ABSENT, Trustees:

Jeff Clay, President

ATTEST:

Mary Martone, Secretary to the Board of Trustees



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

FINAL BUDGET FY 2022-23

REVENUE Account No.	Service & Sales	FY 21/22		FY 21/22		Projected Revenues		Final Budget		Variance from	
		Budget	9-Month Revenues	6/30/2022 Year-End	FY 22/23	2021/22 Budget	2021/22 Budget				
601000	Agriculture Water Sales & Meter Charges	\$ 1,347,767	\$ 932,695	\$ 1,313,034	\$ 1,344,337	\$ (3,430)					
602000	Domestic Water Sales & Meter Charges	\$ 4,637,998	\$ 3,696,309	\$ 5,012,074	\$ 4,631,353	\$ (6,645)					
602100	Rural Res/Lmt'd Ag Sales & Meter Charges	\$ 2,465,761	\$ 1,955,669	\$ 2,686,889	\$ 2,458,811	\$ (6,950)					
602200	Cachuma Park Water Sales	\$ 19,575	\$ 10,933	\$ 15,307	\$ 19,575	\$ -					
606000	Water Sales to City of Solvang	\$ 168,222	\$ 52,744	\$ 66,531	\$ 279,725	\$ 111,503					
608000	Water Sales - On-Demand	\$ 40,622	\$ 11,004	\$ 14,689	\$ 36,018	\$ (4,604)					
611500	Fire Service Charges	\$ 122,258	\$ 92,879	\$ 125,430	\$ 111,719	\$ (10,539)					
604000	Temporary Water Sales	\$ 6,725	\$ 16,372	\$ 21,350	\$ 20,175	\$ 13,450					
	Subtotal Water Sales	\$ 8,808,928	\$ 6,768,605	\$ 9,255,305	\$ 8,901,713	\$ 92,785					
611100	New Services Fees	\$ 40,000	\$ 21,300	\$ 46,387	\$ 40,000	\$ -					
611200	Activation/Reconnection Fees	\$ 20,000	\$ 12,600	\$ 15,120	\$ 20,000	\$ -					
611900	New Fire Service Fees	\$ 3,000	\$ 6,080	\$ 6,080	\$ 8,000	\$ 5,000					
612400	Penalties	\$ 20,000	\$ 45,197	\$ 48,361	\$ 35,000	\$ 15,000					
	Subtotal Service	\$ 83,000	\$ 85,177	\$ 115,947	\$ 103,000	\$ 20,000					
	Assessments, Fees & Other Revenue										
627000-627200	Special Assessment	\$ 875,000	\$ 530,362	\$ 943,398	\$ 875,000	\$ -					
628000-630300	Interest Income	\$ 75,000	\$ 19,052	\$ 44,968	\$ 55,000	\$ (20,000)					
625200	Application Fees/Special Services	\$ 10,000	\$ 10,975	\$ 12,975	\$ 13,000	\$ 3,000					
611600	Capital Facilities Charges	\$ 70,000	\$ 61,825	\$ 83,748	\$ 70,000	\$ -					
620006	Reimbursed Field Labor	\$ 2,500	\$ 27,287	\$ 30,016	\$ 15,000	\$ 12,500					
620008	Reimbursed Admin. Labor	\$ 1,500	\$ 4,536	\$ 4,990	\$ 5,000	\$ 3,500					
624000	Other Misc Revenues	\$ 35,000	\$ 36,356	\$ 48,716	\$ 35,000	\$ -					
634100	Insurance Claims	\$ 2,000	\$ -	\$ -	\$ 2,000	\$ -					
890100	Solvang SWP Payment	\$ 2,931,883	\$ 3,035,510	\$ 3,035,510	\$ 2,240,562	\$ (691,321)					
	Subtotal Assessment & Fees	\$ 4,002,883	\$ 3,725,903	\$ 4,204,321	\$ 3,310,562	\$ (692,321)					
	TOTAL	\$ 12,894,811	\$ 10,579,685	\$ 13,575,573	\$ 12,315,275	\$ (579,536)					

EXPENDITURES OPERATIONS & MAINTENANCE

Account No.	Source of Supply	FY 21/22 Budget	FY 21/22 9-Month Expenditures	Projected Expenditures 6/30/22 Year-End	Final Budget FY 22/23	Variance from 2021/22 Budget
703000	Cachuma Project (USBR) Water Purchase	\$ 287,282	\$ 135,064	\$ 228,040	\$ 254,502	\$ (32,780)
703200	Cachuma Project Renewal/Environmental Fund	\$ 22,700	\$ 22,700	\$ 22,700	\$ 16,055	\$ (6,645)
704000	State Water Charge- District Payment	\$ 1,745,823	\$ 1,176,746	\$ 1,568,996	\$ 1,091,490	\$ (654,333)
860000	State Water Project - City of Solvang pymt	\$ 2,931,883	\$ 3,035,510	\$ 3,035,510	\$ 2,240,562	\$ (691,321)
705000	Ground Water Charges	\$ 40,000	\$ 17,601	\$ 43,801	\$ 47,000	\$ 7,000
706000	Cloudseeding Program	\$ 500	\$ 7,003	\$ 7,003	\$ 5,000	\$ 4,500
707000	River Well Field Licenses (4.0cfs , 6.0cfs, Gallery)	\$ 5,043,188	\$ 4,412,206	\$ 4,923,632	\$ 3,672,609	\$ (1,370,579)
	Subtotal S. of S.					
	Infrastructure					
711000	Maintenance of Wells	\$ 50,000	\$ 6,362	\$ 7,000	\$ 50,000	\$ -
712000	Maintenance of Mains	\$ 45,000	\$ 16,992	\$ 25,000	\$ 45,000	\$ -
713000	Maintenance of Reservoirs	\$ 28,000	\$ 7,045	\$ 17,045	\$ 15,000	\$ (13,000)
714000	Maintenance of Structures	\$ 5,000	\$ 1,876	\$ 2,376	\$ 5,000	\$ -
	Subtotal Infrastructure	\$ 128,000	\$ 32,275	\$ 51,421	\$ 115,000	\$ (13,000)
	Pumping					
726000	Pumping Expense - Power	\$ 689,687	\$ 459,692	\$ 676,692	\$ 710,000	\$ 20,313
730000	Maintenance of Pump Structures/Stations	\$ 15,400	\$ 5,034	\$ 12,434	\$ 10,000	\$ (5,400)
732000	Maintenance of Equipment	\$ 1,500	\$ 569	\$ 711	\$ 1,500	\$ -
	Subtotal Pumping	\$ 706,587	\$ 465,295	\$ 689,837	\$ 721,500	\$ 14,913
	Water Treatment					
744000	Chemicals	\$ 35,000	\$ 43,142	\$ 68,562	\$ 84,732	\$ 49,732
748000	Maintenance of Treatment Structures & Equipment	\$ 3,000	\$ 1,190	\$ 1,488	\$ 3,000	\$ -
748100	Water Treatment/Sampling/Monitoring Equipment	\$ 11,000	\$ 2,671	\$ 6,353	\$ 10,000	\$ (1,000)
749000	Water Analysis	\$ 14,000	\$ 9,680	\$ 12,100	\$ 14,000	\$ -
	Subtotal W.T.	\$ 63,000	\$ 56,683	\$ 88,502	\$ 111,732	\$ 48,732
	Transmission & Distribution					
751000	Field Service Labor	\$ 621,287	\$ 438,602	\$ 603,602	\$ 686,278	\$ 64,991
775000	PERS - Retirement	\$ 137,613	\$ 121,038	\$ 141,493	\$ 179,486	\$ 41,873
775400	ACWA - Health Benefits	\$ 225,956	\$ 151,830	\$ 206,514	\$ 213,853	\$ (12,104)
775200	ACWA - Delta Dental	\$ 8,714	\$ 6,794	\$ 8,777	\$ 9,215	\$ 501
775300	ACWA - Vision	\$ 1,652	\$ 1,221	\$ 1,581	\$ 1,660	\$ 8
799500	Uniforms	\$ 16,000	\$ 13,221	\$ 17,721	\$ 18,000	\$ 2,000
752000	Work Materials & Supplies	\$ 10,000	\$ 4,596	\$ 7,596	\$ 10,000	\$ -
752100	Safety Equipment	\$ 3,000	\$ 2,327	\$ 2,909	\$ 3,000	\$ -
753000	SCADA Maintenance	\$ 14,000	\$ 6,247	\$ 9,371	\$ 10,500	\$ (3,500)
754000	Small Tools	\$ 15,500	\$ 10,633	\$ 13,633	\$ 10,000	\$ (5,500)
754100	Small Tool Repair	\$ 1,500	\$ 15	\$ 515	\$ 1,500	\$ -
755000	Transportation (Vehicle Maintenance/Fuel)	\$ 65,000	\$ 45,764	\$ 69,840	\$ 70,000	\$ 5,000
756000	Meter Service (New)	\$ 20,000	\$ 14,023	\$ 21,035	\$ 20,000	\$ -
756100	Meter and Service Repair	\$ 12,000	\$ 11,192	\$ 13,990	\$ 15,000	\$ 3,000
757000	Road Contracts	\$ 1,500	\$ 58	\$ 1,911	\$ 2,500	\$ 1,000
758100	Meter Reading System (Sensus) (Neptune)	\$ 8,400	\$ 7,545	\$ 7,545	\$ 8,400	\$ -
759000	Maintenance of Structures and Improvements	\$ 5,000	\$ 3,757	\$ 4,657	\$ 5,000	\$ -
760000	Fire Hydrants Maintenance	\$ 2,000	\$ 1,354	\$ 1,693	\$ 2,000	\$ -
761000	Back Flow Devices Testing	\$ 100	\$ 5	\$ 105	\$ 125	\$ 25
762000	Backhoe/Generators Maintenance	\$ 8,000	\$ 6,901	\$ 10,640	\$ 10,000	\$ 2,000
	Subtotal T. & D.	\$ 1,177,223	\$ 847,125	\$ 1,145,129	\$ 1,276,518	\$ 99,295
	TOTAL	\$ 7,117,999	\$ 5,813,583	\$ 6,898,521	\$ 5,897,359	\$ (1,220,640)

EXPENDITURES G&A		FY 21/22		FY 21/22		Projected Expenditures		Final Budget		Variance from	
Account No.	General & Administrative	Budget	9-Month Expenditures	6/30/2022 Year-End	FY 21/22	FY 22/23	2021/22 Budget				
772000	State Unemp. Claims	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
773000	Elections	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
6560	Payroll Expenses	\$ 1,200	\$ 856	\$ 988	\$ 1,200	\$ 20,000	\$ 20,000	\$ 1,200	\$ 20,000	\$ 20,000	\$ 20,000
774000	ACWA Workers Comp Ins	\$ 32,000	\$ 16,786	\$ 22,381	\$ 32,000	\$ 27,000	\$ 27,000	\$ 1,200	\$ 27,000	\$ (5,000)	\$ (5,000)
775000	PERS - Retirement	\$ 234,681	\$ 182,431	\$ 212,949	\$ 234,681	\$ 248,989	\$ 248,989	\$ 14,309	\$ 248,989	\$ 14,309	\$ 14,309
775400	ACWA - Health Benefits	\$ 316,769	\$ 181,503	\$ 240,375	\$ 316,769	\$ 299,354	\$ 299,354	\$ (17,416)	\$ 299,354	\$ (17,416)	\$ (17,416)
775200	ACWA - Delta Dental	\$ 11,640	\$ 6,843	\$ 9,189	\$ 11,640	\$ 11,218	\$ 11,218	\$ (422)	\$ 11,218	\$ (422)	\$ (422)
775300	ACWA - Vision	\$ 2,268	\$ 1,494	\$ 2,010	\$ 2,268	\$ 2,283	\$ 2,283	\$ 15	\$ 2,283	\$ 15	\$ 15
777100	Management & Administrative Salaries	\$ 1,335,049	\$ 832,601	\$ 1,111,163	\$ 1,335,049	\$ 1,403,360	\$ 1,403,360	\$ 68,311	\$ 1,403,360	\$ 68,311	\$ 68,311
21001	Other Post Employment Benefits	\$ 235,692	\$ 176,769	\$ 235,692	\$ 235,692	\$ -	\$ -	\$ (235,692)	\$ -	\$ (235,692)	\$ (235,692)
778000	Education, Training & Travel	\$ 20,000	\$ 3,060	\$ 3,825	\$ 20,000	\$ 20,000	\$ 20,000	\$ -	\$ 20,000	\$ -	\$ -
779000	Dues & Subscription	\$ 34,000	\$ 28,203	\$ 30,676	\$ 34,000	\$ 34,000	\$ 34,000	\$ -	\$ 34,000	\$ -	\$ -
780000	Office Maintenance	\$ 12,000	\$ 9,410	\$ 14,410	\$ 12,000	\$ 12,000	\$ 12,000	\$ -	\$ 12,000	\$ -	\$ -
799525	Gardening Service	\$ 2,900	\$ 2,160	\$ 2,880	\$ 2,900	\$ 3,000	\$ 3,000	\$ 100	\$ 3,000	\$ 100	\$ 100
781000	Office Supplies	\$ 15,500	\$ 10,059	\$ 13,580	\$ 15,500	\$ 15,500	\$ 15,500	\$ -	\$ 15,500	\$ -	\$ -
781100	Computer Supplies, Software, Training	\$ 6,000	\$ 2,442	\$ 3,942	\$ 6,000	\$ 6,000	\$ 6,000	\$ -	\$ 6,000	\$ -	\$ -
782000	Postage & Printing	\$ 56,000	\$ 37,814	\$ 52,937	\$ 56,000	\$ 56,000	\$ 56,000	\$ -	\$ 56,000	\$ -	\$ -
783000	Utilities	\$ 10,000	\$ 11,223	\$ 15,123	\$ 10,000	\$ 16,000	\$ 16,000	\$ 6,000	\$ 16,000	\$ 6,000	\$ 6,000
784000	Telephone	\$ 15,000	\$ 11,464	\$ 15,464	\$ 15,000	\$ 18,600	\$ 18,600	\$ 3,600	\$ 18,600	\$ 3,600	\$ 3,600
785000	Services (USA, Website, Security, Answering Services	\$ 17,000	\$ 13,535	\$ 18,535	\$ 17,000	\$ 19,000	\$ 19,000	\$ 2,000	\$ 19,000	\$ 2,000	\$ 2,000
785100	Government Fees (County, State, Local)	\$ 16,000	\$ 15,461	\$ 15,461	\$ 16,000	\$ 16,000	\$ 16,000	\$ -	\$ 16,000	\$ -	\$ -
786000	ACWA Liability Insurance	\$ 55,000	\$ 46,533	\$ 62,357	\$ 55,000	\$ 78,000	\$ 78,000	\$ 23,000	\$ 78,000	\$ 23,000	\$ 23,000
787000	Payroll Taxes - Federal and State	\$ 138,000	\$ 98,783	\$ 132,783	\$ 138,000	\$ 145,000	\$ 145,000	\$ 7,000	\$ 145,000	\$ 7,000	\$ 7,000
788000	Audit & Accounting	\$ 34,500	\$ 34,877	\$ 34,877	\$ 34,500	\$ 39,500	\$ 39,500	\$ 5,000	\$ 39,500	\$ 5,000	\$ 5,000
789000	Legal - General	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	BHFS	\$ 55,000	\$ 38,221	\$ 50,221	\$ 55,000	\$ 55,000	\$ 55,000	\$ -	\$ 55,000	\$ -	\$ -
	Stradling	\$ 10,000	\$ 3,713	\$ 6,713	\$ 10,000	\$ 10,000	\$ 10,000	\$ -	\$ 10,000	\$ -	\$ -
790000	Consulting - General/Professional	\$ 18,000	\$ 7,450	\$ 9,313	\$ 18,000	\$ 18,000	\$ 18,000	\$ -	\$ 18,000	\$ -	\$ -
791000	Consulting - Planning/Research	\$ 10,000	\$ 3,083	\$ 4,008	\$ 10,000	\$ 10,000	\$ 10,000	\$ -	\$ 10,000	\$ -	\$ -
792000	Customer Debt - Write Offs	\$ 1,000	\$ -	\$ 775	\$ 1,000	\$ 1,500	\$ 1,500	\$ 500	\$ 1,500	\$ 500	\$ 500
793000	Office Equipment/Computer Service Contracts	\$ 40,000	\$ 32,288	\$ 43,588	\$ 40,000	\$ 50,000	\$ 50,000	\$ 10,000	\$ 50,000	\$ 10,000	\$ 10,000
794100	Annual Fee/Bond Redemption Costs	\$ 1,425	\$ 1,375	\$ 1,375	\$ 1,425	\$ -	\$ -	\$ (1,425)	\$ -	\$ (1,425)	\$ (1,425)
797000	Trustee Fees	\$ 29,000	\$ 17,260	\$ 23,660	\$ 29,000	\$ 29,000	\$ 29,000	\$ -	\$ 29,000	\$ -	\$ -
799000	Processing Fees, Admin. Expenses, Medical Costs	\$ 35,500	\$ 32,038	\$ 39,038	\$ 35,500	\$ 40,000	\$ 40,000	\$ 4,500	\$ 40,000	\$ 4,500	\$ 4,500
799600	Customer Refunds	\$ 1,000	\$ -	\$ -	\$ 1,000	\$ 1,000	\$ -	\$ (1,000)	\$ 1,000	\$ -	\$ -
	Subtotal G&A	\$ 2,802,123	\$ 1,859,736	\$ 2,430,288	\$ 2,802,123	\$ 2,706,504	\$ 2,706,504	\$ (95,619)	\$ 2,706,504	\$ (95,619)	\$ (95,619)
	TOTAL	\$ 2,802,123	\$ 1,859,736	\$ 2,430,288	\$ 2,802,123	\$ 2,706,504	\$ 2,706,504	\$ (95,619)	\$ 2,706,504	\$ (95,619)	\$ (95,619)

SUBTOTAL EXPENDITURES		FY 21/22		Projected Expenditures		Final Budget		Variance from		
		Budget	9-Month Expenditures	6/30/2022 Year-End	FY 21/22	FY 22/23	2021/22 Budget			
	G&A/O&M	\$ 9,920,122	\$ 7,673,319	\$ 9,328,809	\$ 9,920,122	\$ 8,603,863	\$ 8,603,863	\$ (1,316,259)	\$ 8,603,863	\$ (1,316,259)
	TOTAL	\$ 9,920,122	\$ 7,673,319	\$ 9,328,809	\$ 9,920,122	\$ 8,603,863	\$ 8,603,863	\$ (1,316,259)	\$ 8,603,863	\$ (1,316,259)

DEBT SERVICE		FY 21/22	FY 21/22	Projected Expenditures	Final Budget	Variance from
Account No.	Debt Service	Budget	9-Month Expenditures	6/30/2022 Year-End	FY 22/23	2021/22 Budget
717000	USBR SOD Repayment (Principal & Interest)	\$ 26,976	\$ 26,976	\$ 26,976	\$ 26,976	\$ -
794000	Series 2004 A Repayment (Bond Interest)	\$ 14,900	\$ 14,882	\$ 14,882	\$ 5,088	\$ (9,812)
218200	Series 2004 A Repayment (Bond Principal)	\$ 210,000	\$ 210,000	\$ 210,000	\$ 220,000	\$ 10,000
	Subtotal Debt Service	\$ 251,876	\$ 251,858	\$ 251,858	\$ 252,064	\$ 188
	TOTAL	\$ 251,876	\$ 251,858	\$ 251,858	\$ 252,064	\$ 188

TOTAL OPERATING EXPENDITURES	FY 21/22	FY 21/22	Projected Expenditures	Final Budget	Variance from
	Budget	9-Month Expenditures	6/30/2022 Year-End	FY 22/23	2021/22 Budget
G&A/O&M/DEBT SERVICE TOTAL	\$ 10,171,998	\$ 7,925,177	\$ 9,580,667	\$ 8,855,927	\$ (1,316,071)

SUBTOTAL REVENUE BALANCE	FY 21/22	FY 21/22	Projected	Final Budget	Variance from
	Budget	9-Month Actual	6/30/2022 Year-End	FY 22/23	2021/22 Budget
OPERATING REVENUES LESS OPERATING EXPENDITURES	\$ 2,722,813	\$ 2,654,508	\$ 3,994,906	\$ 3,459,348	\$ 736,535

OTHER EXPENSES

Account No.	Special Studies/Programs	FY 21/22 Budget	FY 21/22 9-Month Expenditures	Projected Expenditures 6/30/2022 Year-End	Final Budget FY 22/23	Variance from 2021/22 Budget
825800	BiOp Implementation	\$ 60,000	\$ 22,300	\$ 37,300	\$ 60,000	\$ -
825401	BiOp Studies/Consultation (Stetson/Hanson)	\$ 50,000	\$ 14,997	\$ 18,746	\$ 50,000	\$ -
800201	BiOp/Reconsultation/ESA (BBK)	\$ 35,000	\$ 12,110	\$ 19,836	\$ 35,000	\$ -
826101	SWRCB Order/Studies (Stetson/Hanson)	\$ 25,000	\$ 356	\$ 444	\$ 15,000	\$ (10,000)
826201	SWRCB Order/Studies (BBK)	\$ 15,000	\$ 506	\$ 633	\$ 10,000	\$ (5,000)
825402	SWRCB Hearings Support (Stetson/Hanson)	\$ 5,000	\$ -	\$ -	\$ 1,000	\$ (4,000)
	Special Studies					
825500	Hydrology SYR; Cachuma Water, RiverWare (Stetson)	\$ 5,000	\$ -	\$ -	\$ 5,000	\$ -
825601	Integrated Regional Water Management Plan	\$ 3,500	\$ 257	\$ 857	\$ 1,500	\$ (2,000)
825600	Water Conservation Program/BMP	\$ 5,000	\$ 4,051	\$ 4,051	\$ 5,000	\$ -
	Subtotal Studies/Programs	\$ 203,500	\$ 54,575	\$ 81,866	\$ 182,500	\$ (21,000)
	Legal & Engineering Services					
800101	Legal	\$ 5,000	\$ -	\$ -	\$ 1,000	\$ (4,000)
800202	SWRCB Hearings Support (BBK)	\$ 30,000	\$ -	\$ -	\$ 20,000	\$ (10,000)
800500	Interagency Involvement Unanticipated or Extraordinary Special Legal BHFS BBK	\$ 30,000	\$ 100,541	\$ 172,541	\$ 230,000	\$ 200,000
	Engineering Services	\$ 15,000	\$ 621	\$ 1,000	\$ 15,000	\$ -
800301	Downstream Water Rights	\$ 5,000	\$ -	\$ -	\$ 5,000	\$ -
800300	Easements, Survey & Water Projects	\$ 10,000	\$ 3,242	\$ 4,052	\$ 10,000	\$ -
800102	Sustainable Groundwater Management Act	\$ 40,000	\$ 53,055	\$ 68,051	\$ 60,000	\$ 20,000
800103	SGMA Reimbursable Cost Shares	\$ -	\$ -	\$ -	\$ 50,000	\$ 50,000
	Subtotal Legal/Engineering	\$ 135,000	\$ 157,458	\$ 245,644	\$ 391,000	\$ 256,000
	Non Recurring Expenses/Projects					
826000	CR6 Implementation Plan & Misc. Treatment Projects	\$ 30,000	\$ 86	\$ -	\$ 30,000	\$ -
825700	Water Rate Study	\$ 75,000	\$ 516	\$ 516	\$ 75,000	\$ -
850500	USBR Cachuma Project Contract/Capital Programs	\$ 20,000	\$ 3,607	\$ 3,607	\$ 20,000	\$ -
800203	River Water Right Proceedings (BHFS)	\$ 40,000	\$ 39,498	\$ -	\$ 40,000	\$ -
800204	River Water Right Proceedings (Stetson/Hanson)	\$ 10,000	\$ 3,629	\$ -	\$ 20,000	\$ 10,000
825900	Water System Study Updates (Stetson)	\$ 30,000	\$ 31,652	\$ 31,652	\$ 25,000	\$ (5,000)
	Subtotal Non-Annual	\$ 205,000	\$ 78,988	\$ 35,775	\$ 210,000	\$ 5,000
	TOTAL	\$ 543,500	\$ 291,022	\$ 363,285	\$ 783,500	\$ 240,000

TOTAL OTHER EXPENSES

Account No.	Special Studies/Programs	FY 21/22 Budget	FY 21/22 9-Month Expenditures	Projected Expenditures 6/30/2022 Year-End	Final Budget FY 22/23	Variance from 2021/22 Budget
	TOTAL	\$ 543,500	\$ 291,022	\$ 363,285	\$ 783,500	\$ 240,000

BUDGET BALANCE		FY 21/22 Budget	FY 21/22 9-Month Actual	Projected Yr-end 6/30/2022 Year-End	Final Budget FY 22/23	Variance from 2021/22 Budget
	TOTAL REVENUES	\$ 12,894,811	\$ 10,579,685	\$ 13,575,573	\$ 12,315,275	\$ (579,536)
	TOTAL O&M EXPENDITURES	\$ (7,117,999)	\$ (5,813,583)	\$ (6,898,521)	\$ (5,897,359)	\$ (1,220,640)
	TOTAL G&A EXPENDITURES	\$ (2,802,123)	\$ (1,859,736)	\$ (2,430,288)	\$ (2,706,504)	\$ (95,619)
	TOTAL DEBT SERVICE	\$ (251,876)	\$ (251,858)	\$ (251,858)	\$ (252,064)	\$ 188
	Subtotal Revenue Balance	\$ 2,722,814	\$ 2,654,508	\$ 3,994,906	\$ 3,459,348	\$ 736,534
	TOTAL Other Expenses (Spec Study/Legal/Eng/NARE Sub Total Balance	\$ (543,500)	\$ (291,022)	\$ (363,285)	\$ (783,500)	\$ 240,000
		\$ 2,179,314	\$ 2,363,486	\$ 3,631,621	\$ 2,675,848	\$ 496,534
	Budget Balance	\$ 2,179,314	\$ 2,363,486	\$ 3,631,621	\$ 2,675,848	\$ 496,534

CAPITAL IMPROVEMENT PROJECTS

Account No.	Plant Expansion	FY 21/22	FY 21/22	Projected Expenditures	Final Budget	Variance from
		Budget	9-Month Expenditures	6/30/2022 Year-End	FY22/23	2021/22 Budget
900332	Water Treatment/District Building	\$ 375,000	\$ -	\$ 53,750	\$ 125,000	\$ (250,000)
900333	Cr6 Treatment Station/Facilities	\$ 385,000	\$ -	\$ -	\$ 285,000	\$ (100,000)
900372	Office Computers, Furniture & Equipment	\$ 22,000	\$ 11,184	\$ 19,184	\$ 65,750	\$ 43,750
900318	Meter Replacement/Utility Billing	\$ 481,200	\$ 356,391	\$ 451,293	\$ 710,000	\$ 228,800
900371	Office Bldg/Shop Improvements	\$ 55,000	\$ 12,873	\$ 27,873	\$ 61,250	\$ 6,250
900376	Communication/telemetry Equipment (SCADA)	\$ -	\$ -	\$ -	\$ 20,000	\$ 20,000
900181	ESRI CAD-GIS System; Equipment	\$ 1,000	\$ -	\$ 1,000	\$ 1,000	\$ -
900378	Major Tools, Shop & Garage Equipment	\$ -	\$ 88,766	\$ 101,241	\$ 10,000	\$ 10,000
900350	Uplands Wells	\$ 114,139	\$ 22,197	\$ 82,102	\$ 332,781	\$ 218,642
	Sub-Total - Plant Expansion Projects	\$ 1,433,339	\$ 491,411	\$ 736,442	\$ 1,610,781	\$ 177,442
Account No.	Repair & Replace					
900106	Rehab/Replace/New-Trans. Mains/Laterals/Valves	\$ 60,000	\$ 7,965	\$ 18,620	\$ 60,000	\$ -
900170	6.0 CFS Well Field	\$ 25,000	\$ 59,283	\$ 64,883	\$ 96,522	\$ 71,522
900335	SWP Pump Station/Pipeline	\$ 5,000	\$ 1,058	\$ 1,058	\$ 5,000	\$ -
900373	Fleet Vehicle Addition & Replacement	\$ 47,000	\$ -	\$ -	\$ 47,000	\$ -
900.171	4.0 CFS Well Field	\$ 22,000	\$ 1,400	\$ 1,400	\$ 102,313	\$ 80,313
900.311	Chlorine Facilities/Wells	\$ 11,837	\$ -	\$ 11,837	\$ -	\$ (11,837)
900.195	Refugio 2 BPS	\$ 7,000	\$ 1,400	\$ 4,200	\$ 50,313	\$ 43,313
900.196	Alamo Pintado BPS	\$ 134,263	\$ 3,529	\$ 4,060	\$ 174,573	\$ 40,310
900.197	Refugio 3 BPS	\$ 48,500	\$ 921	\$ 1,047	\$ 63,793	\$ 15,293
900.198	Meadowmark BPS	\$ 23,500	\$ 10,075	\$ 15,235	\$ 76,522	\$ 53,022
900.102	Zone 1, 2, 3 Reservoirs	\$ 20,000	\$ 100,816	\$ 100,816	\$ 110,000	\$ 90,000
	Subtotal Repair & Replace Projects	\$ 404,100	\$ 186,447	\$ 223,156	\$ 786,036	\$ 381,936
	Grand Total Capital Improvement Projects	\$ 1,837,439	\$ 677,858	\$ 959,598	\$ 2,396,817	\$ 559,378

TOTAL CAPITAL IMPROVEMENT PROJECTS

	FY 21/22	FY 21/22	Projected Expenditures	Final Budget	Variance from
	Budget	9-Month Expenditures	6/30/2022 Year-End	FY 22/23	2021/22 Budget
TOTAL	\$ 1,837,439	\$ 677,858	\$ 959,598	\$ 2,396,817	\$ 559,378

RESERVE BALANCE		FY 21/22	FY 21/22	Projected Yr-end	Final Budget	Variance from
Account No.		Budget	9-Month Actual	6/30/2022 Year-End	FY 22/23	2021/22 Budget
DISBURSEMENT OF REMAINING BUDGET BALANCE						
		\$ 2,179,315	\$ 2,363,486	\$ 3,631,621	\$ 2,675,848	\$ 496,534
271800	Repair & Replace Reserve	\$ (404,100)	\$ (186,447)	\$ (223,156)	\$ (786,036)	\$ 381,936
272000	Plant Expansion Reserve	\$ (1,433,339)	\$ (491,411)	\$ (736,442)	\$ (1,610,781)	\$ 177,442
	Sub Total CIP Reserves	\$ (1,837,439)	\$ (677,858)	\$ (959,598)	\$ (2,396,817)	\$ 559,378
	Funding from Reserves					
	Funding to Reserves	\$ 341,876	\$ 1,685,629	\$ 2,672,023	\$ 279,031	

TOTAL BUDGET		FY 21/22	FY 21/22	Projected Yr-end	Final Budget	Variance from
		Budget	9-Month Actual	6/30/2022 Year-End	FY 22/23	2021/22 Budget
	TOTAL	\$ 12,894,811	\$ 10,579,685	\$ 13,575,573	\$ 12,315,275	\$ (579,536)

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, MAY 26, 2022
AT THE SANTA YNEZ COMMUNITY SERVICES DISTRICT, CONFERENCE ROOM
1070 FARADAY ST., SANTA YNEZ, CALIFORNIA**

Remote public participation available 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: 876 0782 0632 - Meeting Passcode: 296556

- 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 of written comments must be received by the GSA no later than **Wednesday, May 25, 2022**, and should indicate **“May 26, 2022 GSA Meeting”** in the subject line. To the extent practicable, public comments and materials received in advance pursuant to this timeframe will be read into the public record during the meeting. Public comments and materials not read into the record 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, MAY 26, 2022, 6:30 P.M.

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 February 24 and March 24, 2022
- VI. Review and consider approval of Financial Statements and Warrant List
- VII. Update on Executive Order N-7-22
- VIII. Update on Santa Ynez River Valley Groundwater Basin Well Metering Program
- IX. Update on future governance/JPA/interim cost sharing and long-term funding for EMA expenses
- X. Update on change of GSA Financial Institution
- XI. Next Regular EMA GSA Meeting, Thursday, August 25, 2022, at 6:30 p.m.
- XII. EMA GSA Committee requests and comments
- XIII. 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.]

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

EXECUTIVE ORDER N-7-22

WHEREAS on April 12, 2021, May 10, 2021, July 8, 2021, and October 19, 2021, I proclaimed states of emergency that continue today and exist across all the counties of California, due to extreme and expanding drought conditions; and

WHEREAS climate change continues to intensify the impacts of droughts on our communities, environment, and economy, and California is in a third consecutive year of dry conditions, resulting in continuing drought in all parts of the State; and

WHEREAS the 21st century to date has been characterized by record warmth and predominantly dry conditions, and the 2021 meteorological summer in California and the rest of the western United States was the hottest on record; and

WHEREAS since my October 19, 2021 Proclamation, early rains in October and December 2021 gave way to the driest January and February in recorded history for the watersheds that provide much of California's water supply; and

WHEREAS the ongoing drought will have significant, immediate impacts on communities with vulnerable water supplies, farms that rely on irrigation to grow food and fiber, and fish and wildlife that rely on stream flows and cool water; and

WHEREAS the two largest reservoirs of the Central Valley Project, which supplies water to farms and communities in the Central Valley and the Santa Clara Valley and provides critical cold-water habitat for salmon and other anadromous fish, have water storage levels that are approximately 1.1 million acre-feet below last year's low levels on this date; and

WHEREAS the record-breaking dry period in January and February and the absence of significant rains in March have required the Department of Water Resources to reduce anticipated deliveries from the State Water Project to 5 percent of requested supplies; and

WHEREAS delivery of water by bottle or truck is necessary to protect human safety and public health in those places where water supplies are disrupted; and

WHEREAS groundwater use accounts for 41 percent of the State's total water supply on an average annual basis but as much as 58 percent in a critically dry year, and approximately 85 percent of public water systems rely on groundwater as their primary supply; and

WHEREAS coordination between local entities that approve permits for new groundwater wells and local groundwater sustainability agencies is important to achieving sustainable levels of groundwater in critically overdrafted basins; and

WHEREAS the duration of the drought, especially following a multiyear drought that abated only five years ago, underscores the need for California to redouble near-, medium-, and long-term efforts to adapt its water management and delivery systems to a changing climate, shifting precipitation patterns, and water scarcity; and

WHEREAS the most consequential, immediate action Californians can take to extend available supplies is to voluntarily reduce their water use by 15 percent from their 2020 levels by implementing the commonsense measures identified in operative paragraph 1 of Executive Order N-10-21 (July 8, 2021); and

WHEREAS to protect public health and safety, it is critical the State take certain immediate actions without undue delay to prepare for and mitigate the effects of the drought conditions, and under Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this Proclamation would prevent, hinder, or delay the mitigation of the effects of the drought conditions.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, including the California Emergency Services Act, and in particular, Government Code sections 8567, 8571, and 8627, do hereby issue the following Order to become effective immediately:

IT IS HEREBY ORDERED THAT:

1. The orders and provisions contained in my April 21, 2021, May 10, 2021, July 8, 2021, and October 19, 2021 Proclamations remain in full force and effect, except as modified by those Proclamations and herein. State agencies shall continue to implement all directions from those Proclamations and accelerate implementation where feasible.
2. To help the State achieve its conservation goals and ensure sufficient water for essential indoor and outdoor use, I call on all Californians to strive to limit summertime water use and to use water more efficiently indoors and out. The statewide Save Our Water conservation campaign at SaveOurWater.com provides simple ways for Californians to reduce water use in their everyday lives. Furthermore, I encourage Californians to understand and track the amount of water they use and measure their progress toward their conservation goals.
3. By May 25, 2022, the State Water Resources Control Board (Water Board) shall consider adopting emergency regulations that include all of the following:
 - a. A requirement that each urban water supplier, as defined in section 10617 of the Water Code, shall submit to the Department of Water Resources a preliminary annual water supply and demand assessment consistent with section 10632.1 of the Water Code no later than June 1, 2022, and submit a final annual water

supply and demand assessment to the Department of Water Resources no later than the deadline set by section 10632.1 of the Water Code;

- b. A requirement that each urban water supplier that has submitted a water shortage contingency plan to the Department of Water Resources implement, at a minimum, the shortage response actions adopted under section 10632 of the Water Code for a shortage level of up to twenty percent (Level 2), by a date to be set by the Water Board; and
- c. A requirement that each urban water supplier that has not submitted a water shortage contingency plan to the Department of Water Resources implement, at a minimum, shortage response actions established by the Water Board, which shall take into consideration model actions that the Department of Water Resources shall develop for urban water supplier water shortage contingency planning for Level 2, by a date to be set by the Water Board.

To further conserve water and improve drought resiliency if the drought lasts beyond this year, I encourage urban water suppliers to conserve more than required by the emergency regulations described in this paragraph and to voluntarily activate more stringent local requirements based on a shortage level of up to thirty percent (Level 3).

- 4. To promote water conservation, the Department of Water Resources shall consult with leaders in the commercial, industrial, and institutional sectors to develop strategies for improving water conservation, including direct technical assistance, financial assistance, and other approaches. By May 25, 2022, the Water Board shall consider adopting emergency regulations defining "non-functional turf" (that is, a definition of turf that is ornamental and not otherwise used for human recreation purposes such as school fields, sports fields, and parks) and banning irrigation of non-functional turf in the commercial, industrial, and institutional sectors except as it may be required to ensure the health of trees and other perennial non-turf plantings.
- 5. In order to maximize the efficient use of water and to preserve water supplies critical to human health and safety and the environment, Public Resources Code, Division 13 (commencing with section 21000) and regulations adopted pursuant to that Division are hereby suspended, with respect to the directives in paragraphs 3 and 4 of this Order and any other projects and activities for the purpose of water conservation to the extent necessary to address the impacts of the drought, and any permits necessary to carry out such projects or activities. Entities that desire to conduct activities under this suspension, other than the directives in paragraphs 3 and 4 of this Order, shall first request that the Secretary of the Natural Resources Agency make a determination that the proposed activities are eligible to be conducted under this suspension. The Secretary shall use sound discretion in applying this Executive Order to ensure that the suspension serves the purpose of accelerating conservation projects that are necessary to address impacts of the drought, while at the same time

protecting public health and the environment. The entities implementing these directives or conducting activities under this suspension shall maintain on their websites a list of all activities or approvals for which these provisions are suspended.

6. To support voluntary approaches to improve fish habitat that would require change petitions under Water Code section 1707 and either Water Code sections 1425 through 1432 or Water Code sections 1725 through 1732, and where the primary purpose is to improve conditions for fish, the Water Board shall expeditiously consider petitions that add a fish and wildlife beneficial use or point of diversion and place of storage to improve conditions for anadromous fish. California Code of Regulations, title 23, section 1064, subdivisions (a)(1)(A)(i)-(ii) are suspended with respect to any petition that is subject to this paragraph.
7. To facilitate the hauling of water for domestic use by local communities and domestic water users threatened with the loss of water supply or degraded water quality resulting from drought, any ordinance, regulation, prohibition, policy, or requirement of any kind adopted by a public agency that prohibits the hauling of water out of the water's basin of origin or a public agency's jurisdiction is hereby suspended. The suspension authorized pursuant to this paragraph shall be limited to the hauling of water by truck or bottle to be used for human consumption, cooking, or sanitation in communities or residences threatened with the loss of affordable safe drinking water. Nothing in this paragraph limits any public health or safety requirement to ensure the safety of hauled water.
8. The Water Board shall expand inspections to determine whether illegal diversions or wasteful or unreasonable use of water are occurring and bring enforcement actions against illegal diverters and those engaging in the wasteful and unreasonable use of water. When access is not granted by a property owner, the Water Board may obtain an inspection warrant pursuant to the procedures set forth in Title 13 (commencing with section 1822.50) of Part 3 of the Code of Civil Procedure for the purposes of conducting an inspection pursuant to this directive.
9. To protect health, safety, and the environment during this drought emergency, a county, city, or other public agency shall not:
 - a. 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 and classified as medium- or high-priority without first obtaining 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 would not be inconsistent with any sustainable groundwater management program established in any applicable Groundwater Sustainability Plan adopted by that Groundwater Sustainability

Agency and would not decrease the likelihood of achieving a sustainability goal for the basin covered by such a plan; or

- b. Issue a permit for a new groundwater well or for alteration of an existing well without first determining that extraction of groundwater from the proposed well is (1) not likely to interfere with the production and functioning of existing nearby wells, and (2) not likely to cause subsidence that would adversely impact or damage nearby infrastructure.

This paragraph shall not apply to permits for wells that will provide less than two acre-feet per year of groundwater for individual domestic users, or that will exclusively provide groundwater to public water supply systems as defined in section 116275 of the Health and Safety Code.

10. To address household or small community drinking water shortages dependent upon groundwater wells that have failed due to drought conditions, the Department of Water Resources shall work with other state agencies to investigate expedited regulatory pathways to modify, repair, or reconstruct failed household or small community or public supply wells, while recognizing the need to ensure the sustainability of such wells as provided for in paragraph 9.
11. State agencies shall collaborate with tribes and federal, regional, and local agencies on actions related to promoting groundwater recharge and increasing storage.
12. To help advance groundwater recharge projects, and to demonstrate the feasibility of projects that can use available high water flows to recharge local groundwater while minimizing flood risks, the Water Board and Regional Water Quality Control Boards shall prioritize water right permits, water quality certifications, waste discharge requirements, and conditional waivers of waste discharge requirements to accelerate approvals for projects that enhance the ability of a local or state agency to capture high precipitation events for local storage or recharge, consistent with water right priorities and protections for fish and wildlife. For the purposes of carrying out this paragraph, Division 13 (commencing with section 21000) of the Public Resources Code and regulations adopted pursuant to that Division, and Chapter 3 (commencing with section 85225) of Part 3 of Division 35 of the Water Code and regulations adopted pursuant thereto are hereby suspended to the extent necessary to address the impacts of the drought. This suspension applies to (a) any actions taken by state agencies, (b) any actions taken by local agencies where the state agency with primary responsibility for the implementation of the directives concurs that local action is required, and (c) permits necessary to carry out actions under (a) or (b). The entities implementing these directives shall maintain on their websites a list of all activities or approvals for which these provisions are suspended.
13. With respect to recharge projects under either Flood-Managed Aquifer Recharge or the Department of Water Resources Sustainable


Groundwater Management Grant Program occurring on open and working lands to replenish and store water in groundwater basins that will help mitigate groundwater conditions impacted by drought, for any (a) actions taken by state agencies, (b) actions taken by a local agency where the Department of Water Resources concurs that local action is required, and (c) permits necessary to carry out actions under (a) or (b), Public Resources Code, Division 13 (commencing with section 21000) and regulations adopted pursuant to that Division are hereby suspended to the extent necessary to address the impacts of the drought. The entities implementing these directives shall maintain on their websites a list of all activities or approvals for which these provisions are suspended.

14. To increase resilience of state water supplies during prolonged drought conditions, the Department of Water Resources shall prepare for the potential creation and implementation of a multi-year transfer program pilot project for the purpose of acquiring water from willing partners and storing and conveying water to areas of need.
15. By April 15, 2022, state agencies shall submit to the Department of Finance for my consideration proposals to mitigate the worsening effects of severe drought, including emergency assistance to communities and households and others facing water shortages as a result of the drought, facilitation of groundwater recharge and wastewater recycling, improvements in water use efficiency, protection of fish and wildlife, mitigation of drought-related economic or water-supply disruption, and other potential investments to support short- and long-term drought response.

IT IS FURTHER ORDERED that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 28th day of March 2022.



GAVIN NEWSOM
Governor of California

ATTEST:

SHIRLEY N. WEBER, PH.D.
Secretary of State



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Public Health
Department No.: 041
For Agenda Of: May 24, 2022
Placement: Departmental
Estimated Time: 30 minutes
Continued Item: No
If Yes, date from:
Vote Required: 4/5th

TO: Board of Supervisors
FROM: Department Van Do-Reynoso, MPH, PhD, Director
Director(s) Public Health Department
Contact Info: Lars Seifert, Director
Environmental Health Services 805-681-4934
SUBJECT: Temporary Water Well Permitting Ordinance Related to Drought Emergency
and Governor's Executive Order – Urgency Ordinance and Fee Resolution

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- a) Pursuant to California Government Code sections 25123(d) and 25131 and the California Executive Order N-7-22, adopt an Urgency Ordinance to amend Chapter 34A of County Code in order to implement changes to the process for water well permitting in accordance with California Executive Order N-7-22 until the County's Proclamation of Local Emergency Caused by Drought Conditions is terminated and the Executive Order, as may be superseded, is rescinded (Attachment A); and
- b) Read the title and waive further reading of Urgency Ordinance; and
- c) Adopt a Resolution amending fees for Environmental Health Services relating to Water Wells and Private Water Systems (Attachment B); and
- d) Determine that adoption of the Urgency Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15269(c), 15061(b)(3), 15307, and 15378(b)(5); and that approval of the Fee Resolution is exempt from CEQA pursuant to Public Resources Code sections 21080(b)(8)(A) and (B) and CEQA Guidelines section 15273 because

fees will be used for operating expenses and for the purchase of supplies, equipment, and materials and direct staff to file a Notice of Exemption on that basis (Attachments C and D).

Summary Text:

This urgency ordinance would amend Chapter 34A of the County Code in order to implement process changes for water well permitting in accordance with the Governor's Drought Emergency Executive Order N-7-22 (Executive Order) issued on March 28, 2022 and which took immediate effect, until Executive Order N-7-22, or as may be superseded, is rescinded and the County's Proclamation of Local Emergency Caused by Drought Conditions is terminated; and to amend the Water Well and Private Water System Fee Schedule to prescribe fees to pay the reasonable expenses of Environmental Health Services to implement the temporary water well permit review and processing provisions required by the Executive Order.

Background:

On July 8, 2021, the Governor of California added Santa Barbara County to the list of counties experiencing a drought subject to his emergency declaration initially issued on April 10, 2021. On July 13, 2021, the Board proclaimed a Local Emergency Caused by Drought Conditions, which has been reviewed and re-ratified by your Board every 60-days thereafter. Proclaiming the existence of a Drought Emergency within the County provides the County and local water utilities the ability to take immediate actions to mitigate and respond to the current drought conditions.

On March 28, 2022, due to extreme and expanding drought conditions in the State of California, the Governor issued Executive Order N-7-22 (Executive Order) (Attachment E), which in part, seeks to:

- improve coordination between local agencies that approve permits for new groundwater wells or for the alteration of an existing well;
- enable groundwater sustainability agencies to achieve sustainable levels of groundwater in medium- and high-priority basins; and
- require local agencies to make certain findings prior to issuing a well permit for a new groundwater well for the alteration of an existing well.

The Executive Order became effective immediately on March 28, 2022. The Executive Order states that ongoing drought conditions have the potential for significant, immediate impacts on communities with vulnerable water supplies and farms that rely on irrigation to grow food and fiber.

Paragraph 9 of the Executive Order prohibits a county from approving a permit for a new groundwater well or alteration of an existing well during the drought emergency without first obtaining written verification from a Groundwater Sustainability Agency managing a medium- and high-priority groundwater basin that extraction by the proposed well would: (i) not be inconsistent with any sustainable groundwater management program established in any applicable Groundwater Sustainability Plan adopted by that Groundwater Sustainability Agency; and (ii) not decrease the likelihood of achieving a sustainability goal for the basin covered by such a plan; and secondly, determining that extraction of groundwater from the proposed well is (iii) not likely to interfere with the production and functioning of existing nearby wells, and (iv) not likely to cause subsidence that would adversely impact or damage nearby infrastructure.

In Santa Barbara County, currently designated medium- and high-priority groundwater basins include Cuyama Valley, Carpinteria, Montecito, San Antonio Creek Valley, and the Santa Ynez River Valley. More information on the status of local groundwater resources and how to conserve water in Santa Barbara County can be found at www.waterwisesb.org.

Water wells that provide less than two (2) acre-feet per year of groundwater for individual domestic users, or that will exclusively provide groundwater to public water supply systems are exempted from the Executive Order's requirements on local water well permitting.

Currently, Chapter 34A (Wells) of the Santa Barbara County Code requires only that an applicant submit an application with enumerated data points such as applicant name, driller information, and well location, provide a plot plan (Sec. 34A-4), and pay the fee (Sec. 34A-5). If Environmental Health Services (EHS) as the administering authority determines that the proposed work is in compliance with all applicable standards of Chapter 34A and the applicant has provided the required information and paid the fee, the County must issue a water well permit (Sec. 34A-6).

However, because Executive Order N-7-22 requires EHS to obtain additional information from an applicant related to the intended use and location of the proposed water well, EHS requests that Chapter 34A be amended to add (as Article II of Chapter 34A) temporary water well permitting provisions related to drought emergency conditions for consistency with the Executive Order. EHS requests that this be done through an Urgency Ordinance for the immediate protection of public health, safety, and the environment, and to ensure that Santa Barbara County residents and businesses who rely on vulnerable groundwater supplies, and local farms that rely on irrigation wells to grow food and fiber are able to access this water resource, while also allowing EHS to reasonably consider the findings required by the Executive Order for the sustainability of groundwater basins in the county.

Since issuance of the Governor's Executive Order on March 28, 2022, EHS is in receipt of six water well permit applications subject to the Order to which EHS is not able to process. On average, each year since 2017, approximately 110 water well permit applications are reviewed by EHS for permit issuance to construct new wells or to alter existing wells, such as deepening or replacement of a well casing. Over one half (57%) of these wells in the past five years listed the intended use of the water well as irrigation only, which if permitted today, would be subject to the required findings of this Executive Order.

Urgency Ordinance to Amend Chapter 34A to Add Article II

Based on modeling of hypothetical water well drawdown using conservative, yet anticipated values for transmissivity, storage coefficient, and anticipated pumping yields to support field grown agriculture commodities, EHS' in-house certified hydrogeologist (CHG) has determined that a new well located more than 1,000 feet from an existing well is not likely to interfere with the production of a nearby well as locally defined. This is based on the modeling of induced drawdown at a one-year interval from the proposed well. Moreover, a review of the State Water Resources Control Board's *Low-Threat Underground Storage Tank Case Closure Policy*, a 1,000-foot separation from active production wells to contamination plumes is considered to be sufficient to pose a low threat to human health, safety or the environment, and appropriate for no further action determination based on the enumerated groundwater-specific criteria.

With regard to subsidence findings required by the Executive Order, the US Geological Survey has identified areas of land subsidence in Santa Barbara County only within the Cuyama Valley basin area.¹ While groundwater pumping is an identified cause of subsidence in this basin, the permitting of new wells and alteration of existing wells as defined require written verification from the Cuyama Basin Groundwater Sustainability Agency that the proposed extraction is consistent with the sustainable groundwater management program, including a consideration of subsidence in the basin that may adversely impact surface land uses. The basin currently does not meet the requirements for an undesirable condition of land subsidence.²

If Article II of Chapter 34A is adopted as part of the Recommended Actions, water well permits for new (non-exempt) wells or for the alteration of a well located more than 1,000 feet from an existing well will be issued as a ministerial permitting action. Water wells replacing an existing well that do not exceed the production capacity of the existing well as originally permitted or constructed, and where the existing well will be destroyed upon replacement, are also considered not likely to interfere with the production and functioning of nearby wells for purposes of this urgency ordinance, and EHS would proceed with the review and issuance of replacement water well permits pursuant to local ordinance and the Executive Order.

Where a proposed well is located less than 1,000 feet from an existing well, the applicant will be required to provide pertinent information from a third party CHG with the application in order for EHS' in-house CHG to analyze the data to determine the likelihood of impacts, including specified hydrogeology and well extraction data to model potential impacts to nearby wells or structures. EHS will consider the environmental effects of the proposed well and will require the applicant to comply with CEQA, as applicable. Review of water wells associated with coastal zone development permits and land development permits will be processed in coordination with County Planning & Development Services.

New domestic wells providing less than two-acre feet per year of groundwater, including those serving four or less residential parcels, and public water system wells inclusive of State small water systems (serving 5-15 residential connections) are exempted from the drought emergency permitting provisions in the requested urgency ordinance to ensure an ongoing safe, reliable supply of water for human consumption is available during the drought emergency. While the Executive Order does not specifically exempt domestic water wells serving multiple parcels or State small water systems, the stated intent of the Executive Order is to protect human safety and public health due to extreme and expanding drought conditions; whereas otherwise restricting these existing water systems from domestic well drilling to provide water for human consumption to these systems would not meet that intent.

EHS may also adopt other policies, procedures, and/or permit application forms and amendments as necessary consistent with Chapter 34A to implement the provisions of the Order. As proposed, Article II of Chapter 34A includes a provision requiring a property owner to enter into an indemnification agreement with the County as is presently required for other land development permit applications in the county.

¹ Everett, R.R., Gibbs, D.R., Hanson, R.T., Sweetkind, D.S., Brandt, J.T., Falk, S.E. and Harich, C.R., 2013, *Geology, water-quality, hydrology, and geomechanics of the Cuyama Valley groundwater basin, California, 2008–12*: U.S. Geological Survey Scientific Investigations Report 2013–5108 (https://ca.water.usgs.gov/land_subsidence/california-subsidence-areas.html).

² Woodard & Curran. *Cuyama Basin Groundwater Sustainability Plan*, December 2019, 3-7 (<https://cuyamabasin.org/resources>).

Resolution to Amend EHS Fee Schedule

Currently, Section 34A-5(b)(4) of Santa Barbara County Code allows EHS to recover labor costs in excess of hourly time limits established by the fee resolution for permit processing and related inspections. The well permit fees established during the 2019 EHS Fee Study for water well construction, modification and destruction were based on the average time spent in the permitting of water wells at that time. The proposed fee resolution specifies an hourly time limit of two hours for permit review and processing. Any additional staff time needed for permit processing including, but not limited to consultation, report review, appeals, or public hearings that may be needed to implement the provisions of the urgency ordinance will be assessed at the existing hourly rate for EHS. The proposed fee resolution also establishes a fee to recover the direct cost of CEQA processing and filing fees established by the Clerk of the Board, where applicable. The Fee Schedule for Water Wells and Private Water Systems will not sunset with the rescission of the Local Drought Proclamation and Executive Order. The Resolution to amend the EHS Fee Schedule is included in Attachment B.

Outreach and Countywide Drought Emergency Efforts

Environmental Health Services (EHS) has provided an informational presentation related to the Executive Order and its effects on irrigation water well permitting at the County's Agricultural Advisory Committee on May 5, 2022. Additionally, a virtual public workshop for well drillers, groundwater sustainability agencies and other interested stakeholders was conducted by EHS on May 10, 2022. Information was provided on the Executive Order's drought emergency provisions and exemptions for the county water well permitting process, local agency and groundwater sustainability agency review requirements, proposed regulatory fees and the required temporary process steps for water well permit issuance in Santa Barbara County during the declared drought emergency.

The County has also established ongoing internal and external drought task forces to manage the County's drought response, share information, and develop emergency plans for significant drought related water outages. The internal task force consists of staff from Office of Emergency Management, the County Water Agency and Environmental Health Services, and continues to identify how to support the County's ongoing compliance with State emergency drought measures.

Fiscal Analysis:

There are no one-time costs or staffing requested as a result of this urgency ordinance. Adopting an amended Environmental Health Services fee resolution to utilize the existing Board-approved hourly rate will fully recover regulatory costs. Increased staff time associated with permit reviews may be necessary; however, a decrease in water well permit applications during the drought emergency may also be realized by EHS. Staff workload will be adjusted as necessary to other funded program activities if a decrease in budgeted well permit revenue occurs during the effective dates of the temporary water well permitting provisions.

Staffing Impacts:

There will be no increase or decrease in staff as a result of adopting the proposed resolution and urgency ordinance.

Special Instructions:

1. That the Clerk of the Board publish notice of this hearing, per the attached Public Notice, in a newspaper of general circulation in Santa Barbara County 10 days prior to the hearing and again 5 days prior to the hearing in compliance with Government Code § 6062a.
2. Before the expiration of 15 days after passage of this urgency ordinance, a summary of it shall be published once together with the names of the members of the Board of Supervisors voting for and against the same in a newspaper of general circulation in Santa Barbara County, in compliance with Government Code Section 25124.
3. Following Board approval, Clerk of the Board to please post the Notice of Exemption and forward a stamped copy to the Environmental Health Services Director.
4. Request the Clerk of the Board to return one copy of the original adopted resolution, one copy of the original adopted ordinance, and one Minute Order to the Public Health Department, Attention: Kelly Lazarus at KLazarus@sbcphd.org.

Attachments:

- A. Urgency Ordinance amending Chapter 34A of the Santa Barbara County Code
- B. Resolution amending fees for Environmental Health Services
- C. CEQA Notice of Exemption, Urgency Ordinance
- D. CEQA Notice of Exemption, Fee Resolution
- E. March 28, 2022 Governor's Executive Order
- F. Notice of Public Hearing
- G. Urgency Ordinance amending Chapter 34A of the Santa Barbara County Code Presentation

Authored by:

Lars Seifert, Environmental Health Services Director

cc:

Kelly Hubbard, Office of Emergency Management
Matt Young, Public Works Department
Jeffrey Wilson, Planning & Development Services



WATER WELL PERMITTING AND DROUGHT EMERGENCY

May 24, 2022
Board of Supervisors Hearing



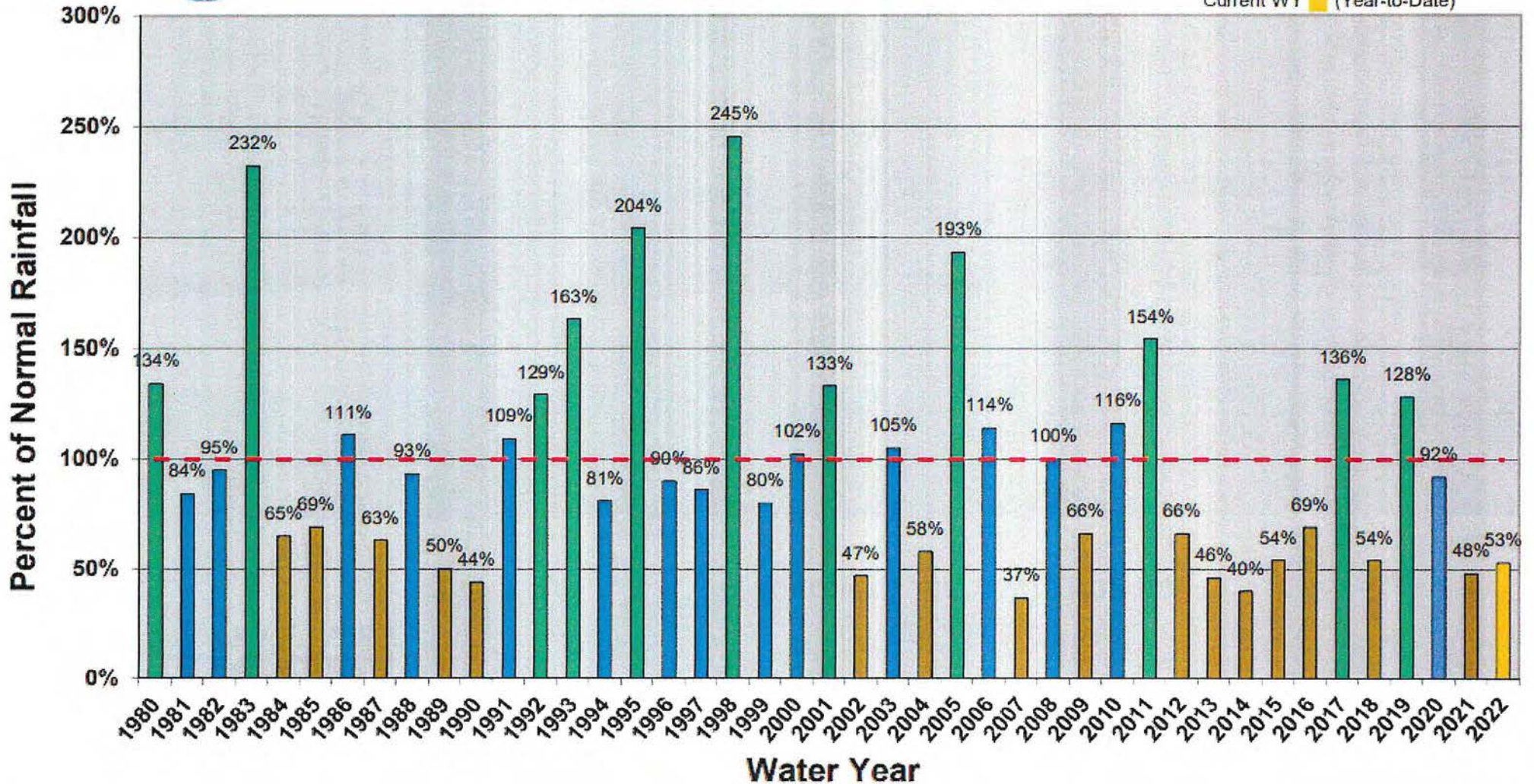
LOCAL DROUGHT EMERGENCY



Countywide Percent-of-Normal Water-Year Rainfall

Updated through March 1, 2022
(Rainfall as a percentage of an entire average water-year)

Wet Years (>120% Normal Rain)
Dry Years (< 80% Normal Rain)
Avg Years (within $\pm 20\%$ Normal)
Current WY (Year-to-Date)





Governor's Executive Order N-7-22 (issued March 28, 2022)

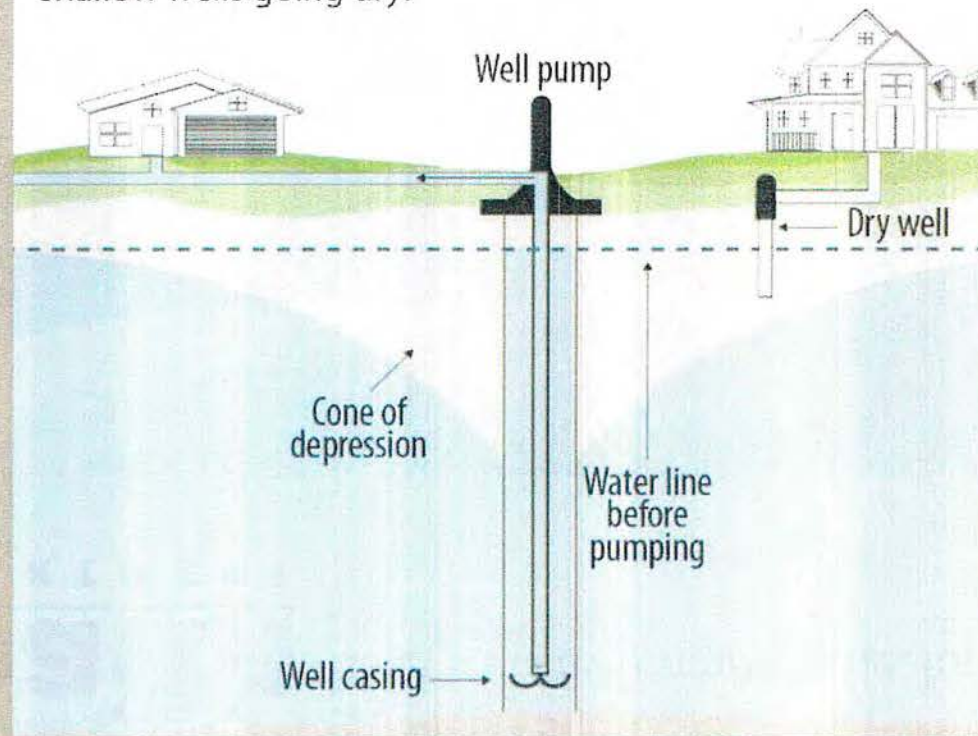
- ❖ Domestic wells exempt (< 2 acre-feet)
- ❖ Public water wells exempt

EHS Proposes:

- ❖ Temporary water well ordinance
- ❖ Water well permit fees

A cone of depression

Large water withdrawals from an aquifer can lower the water table and create a "cone of depression" that can result in shallow wells going dry.



Drought EO N-7-22: Action 9

For new wells or alterations to existing wells*

**GSA ACTION
REQUIRED**

9a. Consultation with the GSAs, Prior to Approving a Well Permit

- In high and medium priority basins, where there is a GSA and GSP
- Obtain written verification from the GSA
- Consistency with GSP & sustainability goals

**COUNTY ACTION
REQUIRED**

9b. Permit Evaluation, Prior to Issuing a Well Permit

1. Not likely to interfere with production and functioning of existing nearby wells
2. Not likely to cause adverse subsidence impact or damage nearby infrastructure

**excluding individual domestic wells who use less than two acre-feet per year and public water system supply who rely exclusively on groundwater wells*



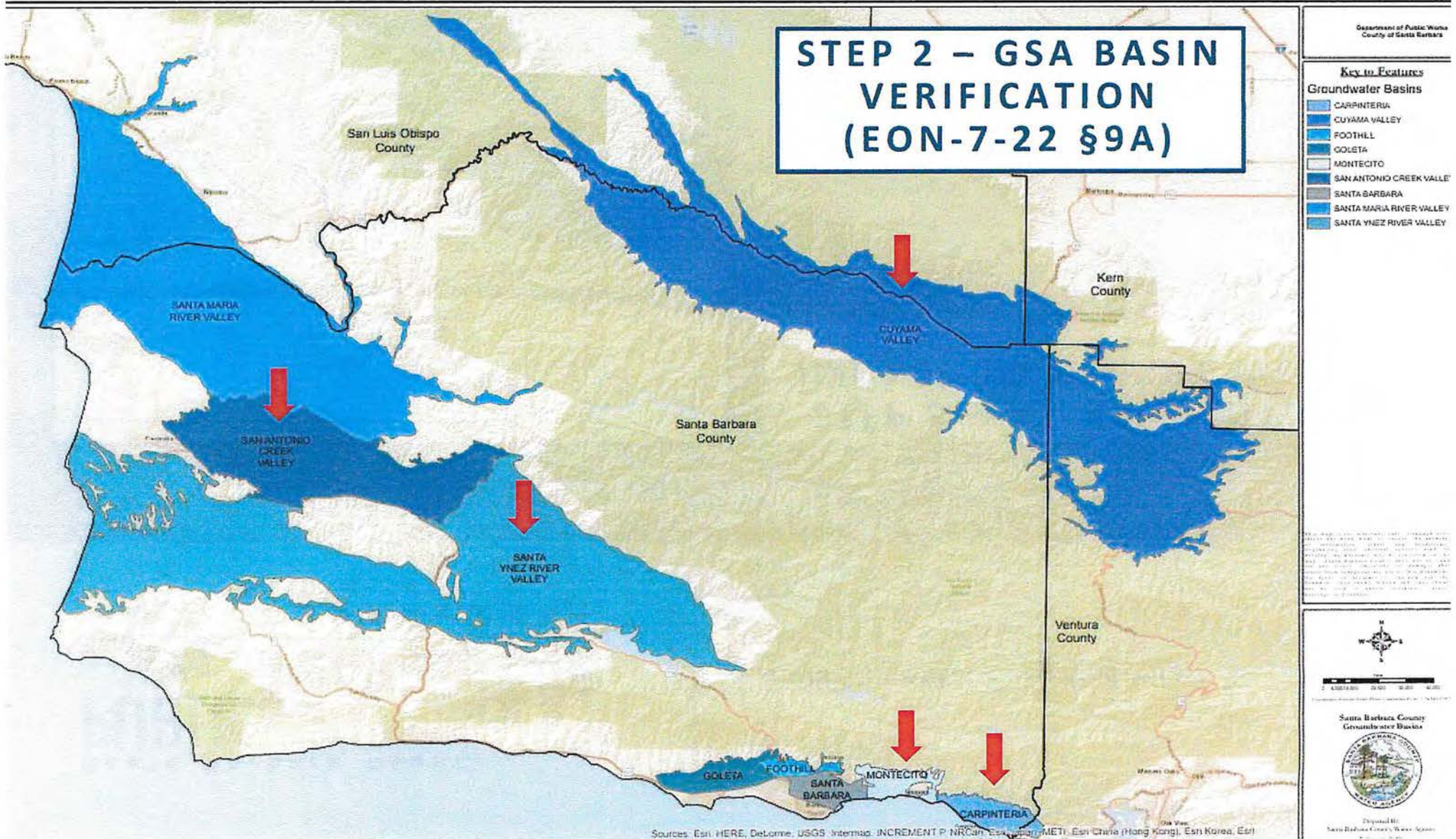
**STEP 1 – INDICATE TYPE,
LOCATION, AND USE**

OR





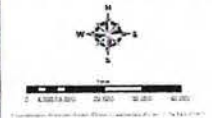
STEP 2 – GSA BASIN VERIFICATION (EON-7-22 §9A)



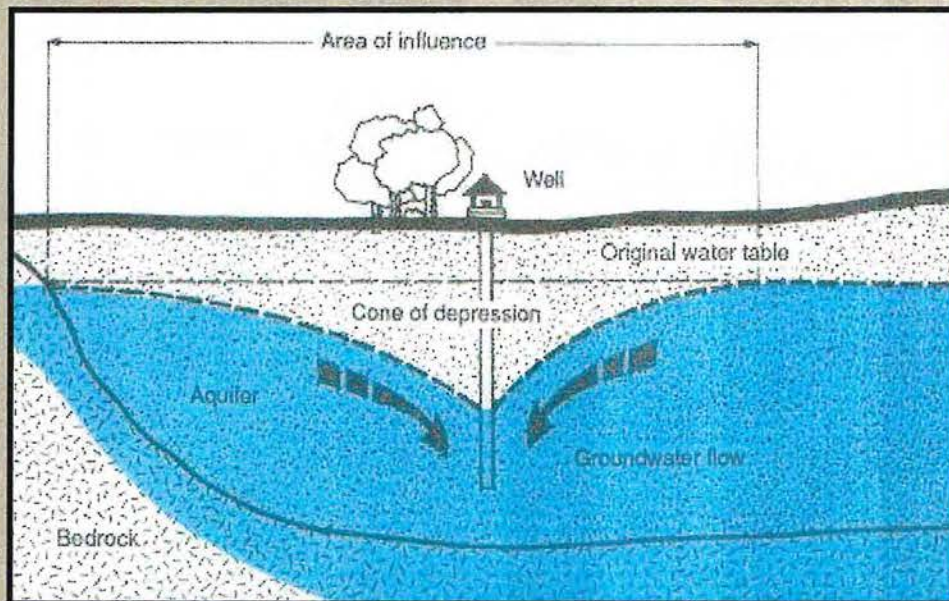
Department of Public Works
 County of Santa Barbara

- Key to Features**
- Groundwater Basins**
- CARPINTERIA
 - CUYAMA VALLEY
 - FOOTHILL
 - GOLETA
 - MONTECITO
 - SAN ANTONIO CREEK VALLEY
 - SANTA BARBARA
 - SANTA MARIA RIVER VALLEY
 - SANTA YNEZ RIVER VALLEY

THE INFORMATION CONTAINED ON THIS MAP WAS DERIVED FROM THE BEST AVAILABLE DATA AND IS PROVIDED AS-IS. THE COUNTY OF SANTA BARBARA DOES NOT WARRANT THE ACCURACY, COMPLETENESS, OR CURRENTNESS OF THE INFORMATION. ANY USER OF THIS MAP SHALL BE RESPONSIBLE FOR VERIFYING THE INFORMATION FOR THEIR OWN USE. THE COUNTY OF SANTA BARBARA SHALL NOT BE LIABLE FOR ANY DAMAGES, INCLUDING CONSEQUENTIAL DAMAGES, ARISING FROM THE USE OF THIS MAP.



Sources: Esri HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri



STEP 3 – ASSESSMENT OF IMPACT TO NEARBY WELLS

Wells >1,000 feet to nearby wells

- ❖ No further information required
- ❖ Setback to nearby wells met for no impact finding

Wells <1,000 feet to nearby wells

- ❖ Aquifer data required from hydrogeologist
- ❖ Findings required by EHS prior to permit issuance

Replacement Wells

- ❖ If “like for like” no further actions required

Santa Barbara County

PUBLIC Health



DEPARTMENT

Environmental Health Services

PROJECT TYPE	APPLICATION, FEE, INDEMNIFICATION AGREEMENT (STEP 1)	GSA VERIFICATION EO-N-7-22 9A (STEP 2)	LOCATION-SPECIFIC HYDROLOGY DATA EO-N-7-22 §9B (STEP 3)	CEQA REVIEW
NEW WELL OR ALTERATION OF EXISTING WELL (INCREASING CAPACITY)	YES	IF IN A MEDIUM- OR HIGH-PRIORITY BASIN	ONLY IF PROPOSED WELL IS LESS THAN 1,000 FEET FROM AN EXISTING WELL	YES - LIKELY CATEGORICALLY EXEMPT
REPLACEMENT WELL (NO INCREASE IN CAPACITY)	YES	IF IN A MEDIUM- OR HIGH-PRIORITY BASIN	EXEMPT	YES - LIKELY CATEGORICALLY EXEMPT
INDIVIDUAL DOMESTIC WELLS	YES	EXEMPT	EXEMPT	YES - LIKELY STATUTORILY EXEMPT AS A MINISTERIAL ACTION
PUBLIC WATER SUPPLY WELLS	YES	EXEMPT	EXEMPT	YES - LIKELY STATUTORILY EXEMPT AS A MINISTERIAL ACTION

FEES

- **Water Well Construction Permit Fee (\$721) - No Change**
- **Additional Technical Review (Hourly Rate) – *NEW***
 - Two hours included in flat permit fee
 - Additional review at \$161/hour
- **CEQA Filing Fee (\$50) – *NEW***



STAKEHOLDER OUTREACH

- **Agricultural Advisory Committee**
 - May 5, 2022 (committee members)
- **Virtual Public Workshop**
 - May 10, 2022 (interested parties; well drillers; groundwater sustainability agencies)
- **Groundwater Sustainability Agencies**
- **Environmental Health Services website**



SBC Public Health
@SBPublicHealth

📢 Join us for a virtual workshop to learn more about the County's proposed water well permitting ordinance to temporarily amend Santa Barbara County Code in response to the Governor's Drought Emergency Executive Order.

📱 Full details here: ow.ly/L9Ey50IYzNK

VIRTUAL PUBLIC WORKSHOP

Learn more about the County's Proposed Temporary Water Well Permitting Ordinance Related to Governor's Executive Order and Drought Emergency.

Tuesday, May 10, 2022
6:30 p.m.
Join via Zoom



RECOMMENDED ACTIONS

On May 24, 2022:

1. Pursuant to California Government Code sections 25123(d) and 25131 and the California Executive Order N-7-22, adopt an Urgency Ordinance to amend Chapter 34A of County Code in order to implement changes to the process for water well permitting in accordance with California Executive Order N-7-22 until the County's Proclamation of Local Emergency Caused by Drought Conditions is terminated and the Executive Order, as may be superseded, is rescinded (Attachment A);
2. Read the title and waive further reading of Urgency Ordinance;

RECOMMENDED ACTIONS

On May 24, 2022, also:

3. Adopt a Resolution amending fees for Environmental Health Services relating to Water Wells and Private Water Systems; and
4. Determine that adoption of the Urgency Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15269(c), 15061(b)(3), 15307 and 15378(b)(5); and that approval of the Fee Resolution is exempt from CEQA pursuant to Public Resources Code sections 21080(b)(8)(A) and (B) and CEQA Guidelines section 15273 because fees will be used for operating expenses and for the purchase of supplies, equipment, and materials, and direct staff to file a Notice of Exemption on that basis.

QUESTIONS?

Santa Barbara County Environmental Health Services
May 24, 2022 Board of Supervisors Hearing



ATTACHMENT A

**TEMPORARY WATER WELL PERMITTING ORDINANCE
RELATED TO DECLARED DROUGHT EMERGENCY AND
EXECUTIVE ORDER - Urgency Ordinance**

ORDINANCE NO. _____

AN URGENCY ORDINANCE OF THE COUNTY OF SANTA BARBARA AMENDING CHAPTER 34A OF THE SANTA BARBARA COUNTY CODE TO ADD ARTICLE II, SECTIONS 34A-22 TO 34A-~~28~~30 PURSUANT TO GOVERNMENT CODE SECTIONS 25123(d) AND 25131 AND CALIFORNIA GOVERNOR NEWSOM'S EXECUTIVE ORDER N-7-22, TO AMEND WATER WELL PERMITTING REQUIREMENTS UNTIL THE SANTA BARBARA COUNTY LOCAL DROUGHT EMERGENCY PROCLAMATION IS TERMINATED AND THE GOVERNOR'S EXECUTIVE ORDER N-7-22, AS MAY BE SUPERSEDED, IS RESCINDED

The Board of Supervisors of the County of Santa Barbara hereby ordains as follows:

SECTION 1. Emergency Findings. This urgency ordinance is adopted pursuant to California Government Code Sections 25123(d) and 25131 and shall take effect immediately upon its approval by at least a four-fifths vote of the Board of Supervisors. The Board of Supervisors finds that this ordinance is necessary for the immediate preservation of the public peace, health and safety, based upon the following declaration of facts constituting the urgency:

1. Chapter 12, Sec. 12-5(a) of the Santa Barbara County Code, empowers the County of Santa Barbara, Director of Emergency Services, to proclaim a local emergency if the Board of Supervisors is not in session; and
2. Section 8558(c) of the Government Code defines a "Local Emergency" as: "the duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the territorial limits of a county, city and county, or city, caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, drought, sudden and severe energy shortage, plant or animal infestation or disease, the Governor's warning of an earthquake or volcanic prediction, or an earthquake, or other conditions, other than conditions resulting from a labor controversy, which conditions are or are likely to be beyond the control of the services, personnel, equipment, and facilities of that political subdivision and require the combined forces of other political subdivisions to combat"; and
3. Drought conditions of extreme peril to the safety of persons and property have arisen within the County of Santa Barbara; and
4. On March 19, 2019 the Santa Barbara County Board of Supervisors passed Resolution 19-93 Concern Regarding Prolonged Water Supply Shortage within Santa Barbara County, which recognized the long-term impacts of that drought and the need for Water Purveyors, the County and its residents to continue to work together to conserve and to improve water security from future droughts; and

5. Groundwater Sustainability Agencies have been established within Santa Barbara County, and the groundwater levels in many of these basins are at or near historical lows; and
6. On July 8, 2021, the Governor proclaimed a State of Emergency to exist due to drought conditions in the County of Santa Barbara; and
7. On July 13, 2021, the Board of Supervisors found that conditions of extreme peril warranted and necessitated a Proclamation of Local Emergency Caused by Drought Conditions, and has reviewed the need for the continued existence of the Proclamation of Local Emergency at least every 60 days; and
8. Drought conditions of extreme peril to the safety of persons and property in Santa Barbara County persist, and warrant the Proclamation of Local Emergency Caused by Drought Conditions; and
9. The ongoing drought will have significant, immediate impacts on communities with vulnerable groundwater supplies and farms that rely on irrigation to grow food and fiber; and
10. Coordination between local entities that approve permits for new groundwater wells and local groundwater sustainability agencies is important to achieving sustainable groundwater management; and
11. On March 28, 2022, the Governor issued Executive Order N-7-22 due to the extreme and expanding drought conditions, which declared in part that in order to protect health, safety, and the environment during this drought emergency, a county shall not issue a permit for a new groundwater well or for an alteration of an existing well without first determining that such well would not decrease the likelihood of achieving sustainable levels of groundwater as determined by the applicable Groundwater Sustainability Agency, nor interfere with existing nearby wells, nor cause subsidence that would damage structures; and
12. For the immediate protection of health, safety, and the environment, the emergency drought conditions warrant and necessitate that the County adopt this urgency ordinance to establish temporary local drought emergency well permitting provisions consistent with Executive Order N-7-22, as may be superseded; and
13. These provisions to implement local drought emergency water well permitting provisions shall be in effect only until the County's Proclamation of Local Emergency Caused by Drought Conditions is terminated and the Governor's Executive Order related to urgency water well permitting provisions has been rescinded.

SECTION 2. Chapter 34A of the Santa Barbara County Code is hereby amended to incorporate sections 34A-1 through 34A-21 inclusive, as Article I, and add sections 34A-22 through 34A-30 inclusive, as Article II, which read as follows:

**TEMPORARY WATER WELL PERMITTING ORDINANCE RELATED TO
DROUGHT EMERGENCY AND EXECUTIVE ORDER**

Sections:

- 34A-22 Drought Emergency. Purpose.**
- 34A-23 Drought Emergency. Definitions.**
- 34A-24 Drought Emergency. Permit required.**
- 34A-25 Drought Emergency. Permit procedure for construction of new wells or alteration of existing wells.**
- 34A-26 Drought Emergency. Permit procedure for individual domestic and public water supply wells.**
- 34A-27 Drought Emergency. Permit procedure for replacement wells.**
- 34A-28 Drought Emergency. Permit issuance.**
- 34A-29 Drought Emergency. Severability.**
- 34A-30 Drought Emergency. Effective Date.**

• Sec. 34A-22 – Drought Emergency. Purpose.

This urgency ordinance adopts and defines local drought emergency water well permitting provisions established in response to the Governor’s Executive Order N-7-22 as may be superseded. This urgency ordinance shall be effective until the County’s Proclamation of Local Emergency Caused by Drought Conditions is terminated and the Executive Order N-7-22, as may be superseded, is rescinded. The administrative authority may adopt policies and procedures to implement and administer this urgency ordinance and the Executive Order as may be superseded within the unincorporated area of Santa Barbara County.

Unless otherwise set forth in this this urgency ordinance, this urgency ordinance does not relieve a water well applicant’s obligation to comply with Chapter 34-A, California Water Well Standards, or with any sustainable groundwater management program or basin adjudication as established under the authority of the State of California or its Courts.

County Code Chapter 34A, including, but not limited to, sections 34A-18 and 34A-19, shall apply to the provisions of this chapter. Any violation of the provisions of this urgency ordinance by any person is subject to administrative fines as provided in chapter 24A of this Code.

• Sec. 34A-23 – Drought Emergency. Definitions.

- (a) The following words and phrases, whenever used in this urgency ordinance, shall be constructed as defined in this section. Unless the context requires otherwise, the definitions set forth in Sec. 34A-2 shall still govern the construction of this chapter.
- (1) "Alteration of an existing well" means the "modification" of a water well as defined in Sec. 34A-2 of this chapter, in order to increase the production capacity of the existing well as originally permitted or constructed
 - (2) "Individual domestic well" means a well that provides less than two acre-feet per year of groundwater and is used to supply water for domestic needs for an individual residence or to systems having four or less residential service connections.
 - (3) "Public water supply well" means a well that serves a public water system or a state small water system as defined in section 116275 of the California Health and Safety Code for provision of piped water to the public for human consumption.
 - (4) "Nearby well" means any existing water well located within 1,000 feet of the proposed new well or alteration of an existing well.
 - (5) "New well" means a new groundwater well or replacement of an existing well with a new well that exceeds the production capacity of the existing well as originally permitted or constructed. This definition shall not include geothermal heat exchange wells, cathodic protection wells, or wells constructed for the purpose of monitoring or abating contaminants in underground waters that are associated with a hazardous materials release.
 - (6) "Not likely to cause subsidence" means that the soil geology at the well location and distance to nearby structures is such that the proposed new well will not result in any structural damage to a building or infrastructure.
 - (7) "Not likely to interfere" means that the estimated average annual yield and peak pumping capacity of groundwater from the proposed new well will not reduce the static groundwater level within a nearby well greater than 5 feet over a one-year period.
 - (8) "Replacement Well" means a water well to be constructed of equal or less production capacity as an existing well as originally permitted or constructed, when said existing well shall be destroyed under permit within 90 days of completion of the replacement well. This definition does not apply to individual domestic or public water supply wells.
 - (9) "Water well" or "well" means the same as defined in Sec. 34A-2 of this Chapter.

• **Sec. 34A-24 – Drought Emergency. Permit required.**

- (a) An application for a permit required by this chapter shall be made in writing on such forms as may be prescribed by the administrative authority.
- (b) Unless disallowed by State law, at the time of the filing of an application, the application shall be accompanied by an indemnification agreement signed by the legal owner to defend, indemnify and hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, an approval of the application by the County.
- (c) The application shall be accompanied by the appropriate fee as established by resolution of the Santa Barbara County Board of Supervisors. No part of said fee shall be refundable except as provided in such fee resolution.
- (d) No person may construct, modify or destroy a well without the permit required by this urgency ordinance, notwithstanding the emergency provisions of Section 34A-10.

• Sec. 34A-25 – Drought Emergency. Permit procedure for construction of new wells or alteration of existing wells.

- (a) An application for a new well construction permit or for alteration of an existing well shall include all required items of Sec 34A-4, and the following intended use and location information:
 - (1) Intended use of the proposed new well or alteration of an existing well;
 - (2) Anticipated yield and production capacity of the well;
 - (3) Well location and designated groundwater basin;
 - (4) Written verification from an applicable Groundwater Sustainability Agency for a medium- or high-priority basin that the proposed new well or alteration of an existing well would not be inconsistent with any sustainable groundwater management program established in a Groundwater Sustainability Plan; and
 - (5) A plot plan indicating all nearby wells within 1,000 feet of the proposed new well or alteration of an existing well.
- (b) An application for new well construction or alteration of existing wells with nearby wells shall include hydrogeology and well extraction data including but not limited to transmissivity, storativity, and estimated height of water column in the proposed well, prepared under the direction or supervision of a California Certified Hydrogeologist or California Professional Geologist that can provide documentation at the request of the administrative authority demonstrating the requisite experience in responsible charge of hydrogeologic assessments, as requested by the administrative authority in order for the administrative authority to determine whether or not the proposed new well or

alteration of the existing well is not likely to cause subsidence and not likely to interfere with an existing well.

• **Sec. 34A-26 – Drought Emergency. Permit procedure for individual domestic and public water supply wells.**

(a) An application for individual domestic and public water supply wells shall include all required items of Sec 34A-4, and the following intended use and location information:

- (1) Intended use of the proposed individual domestic or public water supply well;
- (2) Anticipated yield and production capacity of the well;
- (3) Well location and designated groundwater basin;
- (4) A plot plan indicating all nearby wells within 1,000 feet of the proposed individual domestic or public water supply well; and
- (5) Identify the structure(s) to be served by the new domestic or public water supply well.

(b) Applications for a well to serve a multiple-parcel water system, state small water system, or public water system shall be completed by an authorized representative of the water system, and include legal easement and rights including, but not limited to, access and operation and maintenance of the well and site.

• **Sec. 34A-27 – Drought Emergency. Permit procedure for replacement wells.**

(a) An application for replacement wells shall include all required items of Sec 34A-4, and the following intended use and location information:

- (1) Intended use of the proposed replacement well;
- (2) Anticipated yield and production capacity of the well;
- (3) Yield and production capacity of the well as originally permitted;
- (4) Well location and designated groundwater basin;
- (5) Written verification from an applicable Groundwater Sustainability Agency for a medium- or high-priority basin that the replacement well would not be inconsistent

with any sustainable groundwater management program established in a Groundwater Sustainability Plan; and

(6) A plot plan indicating all nearby wells within 1,000 feet of the proposed replacement well.

(b) Concurrently with the submittal of an application for a replacement well, the applicant shall submit an application for the destruction of the well to be replaced, in accordance with Sec 34A-4. The existing well shall be destroyed within 90 days of the completion of the replacement well.

• **Sec. 34A-28 – Drought Emergency. Permit issuance.**

(a) For new wells or the alteration of existing wells, that do not have nearby wells. If the administrative authority finds the application for a requested permit for new wells, or the alteration of existing wells that do not have nearby wells subject to this urgency ordinance to contain all the required information, and the proposed water well is found to be in compliance with all applicable standards as specified in Chapter 34A and the Governor's Executive Order N-7-22, as may be superseded, the administrative authority shall issue a well permit.

(b) For new wells or the alteration of existing wells, with nearby wells. If the administrative authority finds the application for a requested permit for new wells, or the alteration of existing wells with nearby wells subject to this urgency ordinance to contain all the required information, and the proposed water well is found not likely to cause subsidence and not likely to interfere with existing wells pursuant to the Governor's Executive Order N-7-22 as may be superseded, and found to be in compliance with all applicable standards as specified in Chapter 34A, the administrative authority shall issue a well permit.

(c) For individual domestic and public water supply wells, or replacement wells. If the administrative authority finds the application for a requested permit for individual domestic and public water supply wells, or replacement wells subject to this urgency ordinance to contain all the required information, and the proposed water well is found to be in compliance with all applicable standards as specified in Chapter 34A and the Governor's Executive Order N-7-22, as may be superseded, the administrative authority shall issue a well permit.

(d) The permit approval received from the administrative authority is separate from any other permit or clearance that may be required by another governmental agency or groundwater sustainability agency.

• **Sec. 34A-29 – Drought Emergency. Severability.**

If any provision of this urgency ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect the other provisions of this urgency ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this urgency ordinance are severable. The Board of Supervisors hereby declares that it would have adopted this urgency ordinance irrespective of the invalidity of any particular portion thereof.

• **Section 34A-30 Drought Emergency. Effective Date.**

This urgency ordinance, sections 34A-22 through 34A-30, shall take effect and be in full force immediately upon adoption by at least a four-fifths vote of the Board of Supervisors pursuant to Government Code Section 25123 and shall remain in effect and operative until the Santa Barbara County local drought emergency proclamation is terminated and the Governor's Executive Order as may be superseded has been rescinded.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this the 24th day of May, 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

COUNTY OF SANTA BARBARA

JOAN HARTMANN

Chair, Board of Supervisors

ATTEST:
MONA MIYASATO
COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By: _____
Deputy Clerk

APPROVED AS TO FORM:
RACHEL VAN MULLEM
COUNTY COUNSEL

By: _____
Deputy County Counsel

APPROVED AS TO FORM:
GREG MILLIGAN, ARM
RISK MANAGER

By: _____
Risk Management

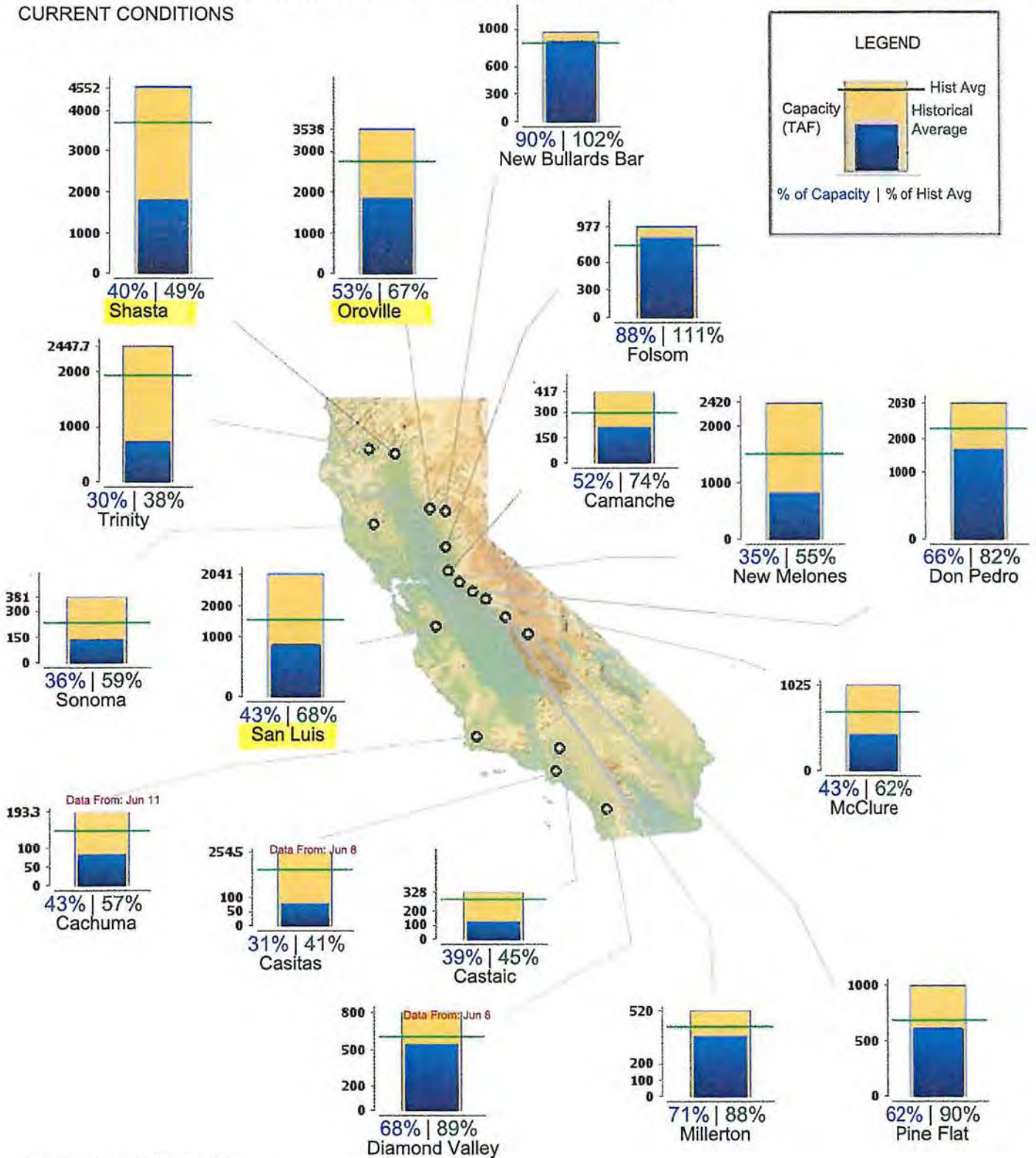
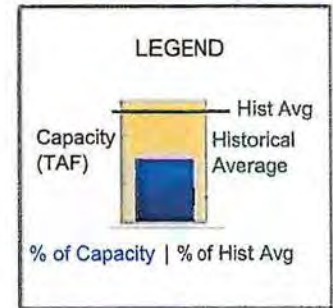


CURRENT RESERVOIR CONDITIONS

CALIFORNIA MAJOR WATER SUPPLY RESERVOIRS

Midnight - June 12, 2022

CURRENT CONDITIONS

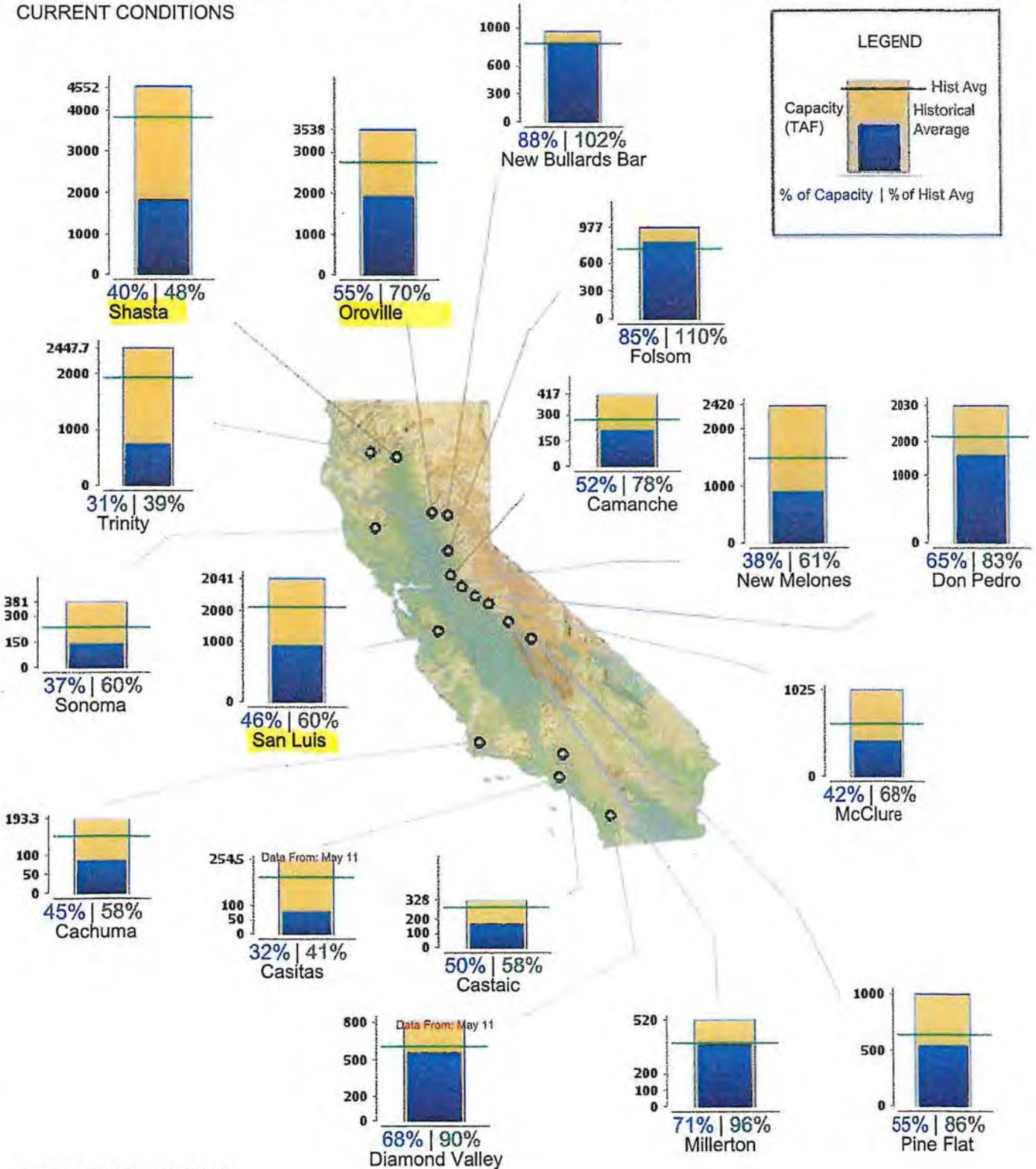


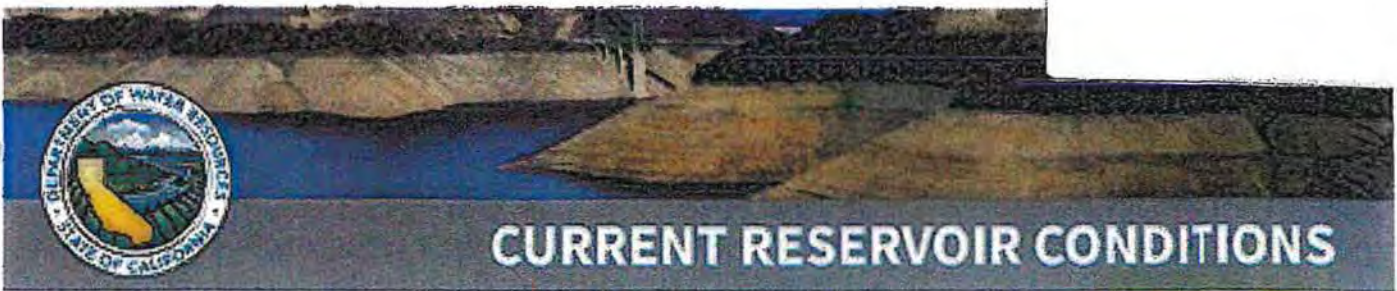


CURRENT RESERVOIR CONDITIONS

Midnight - May 12, 2022

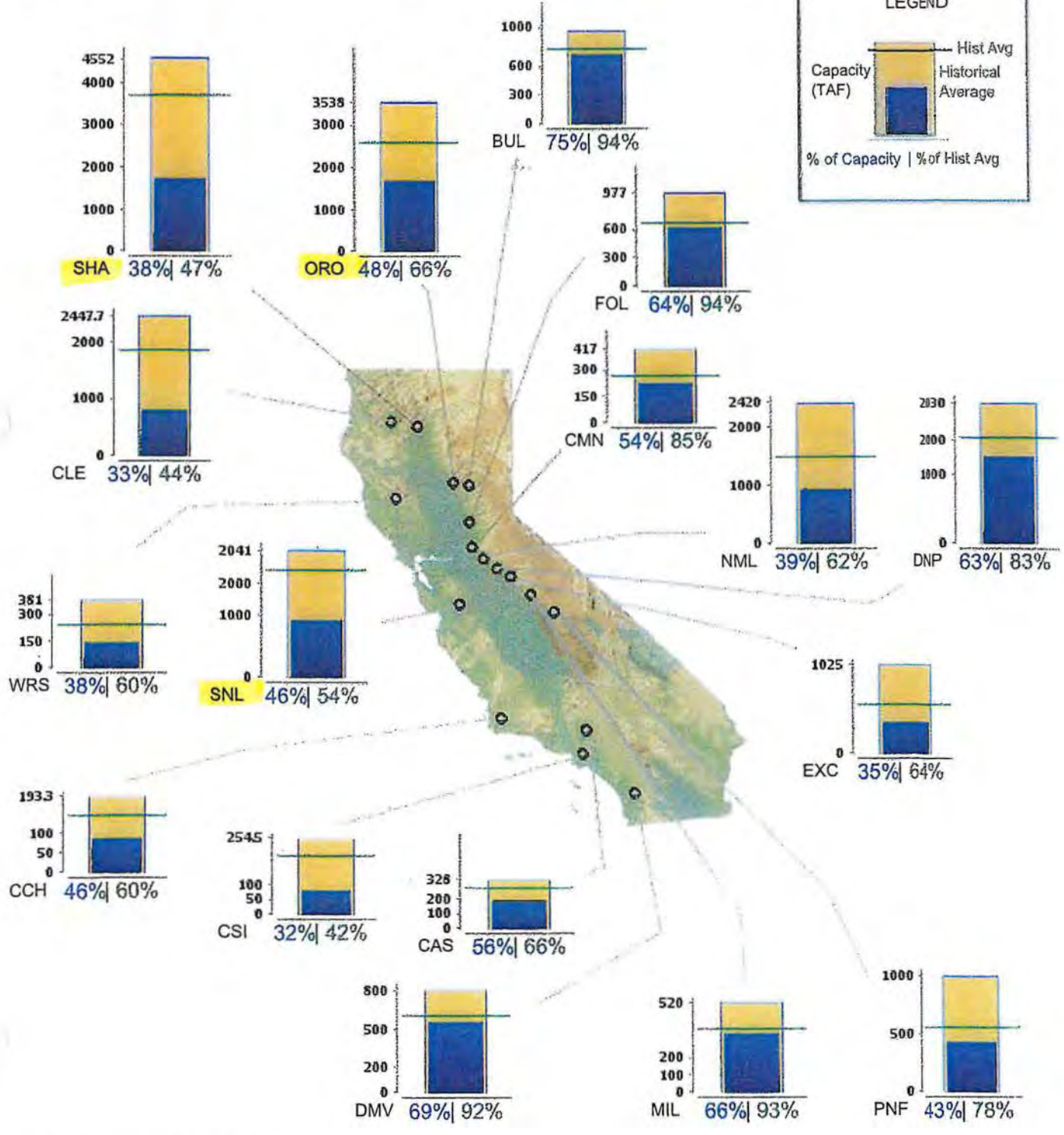
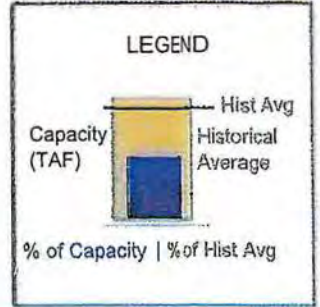
CALIFORNIA MAJOR WATER SUPPLY RESERVOIRS CURRENT CONDITIONS





CALIFORNIA MAJOR WATER SUPPLY RESERVOIRS
CURRENT CONDITIONS

Midnight - April 12, 2022

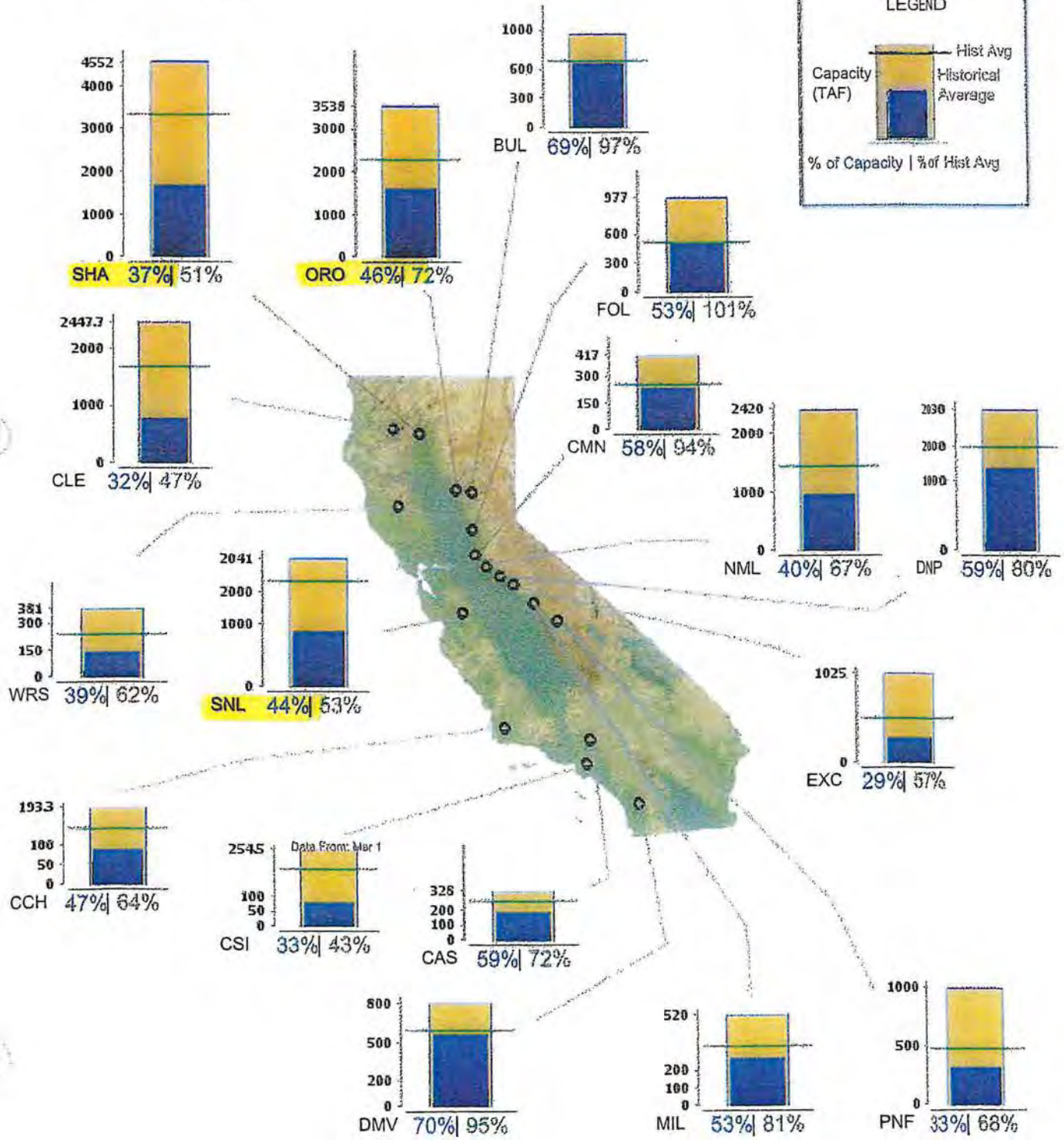
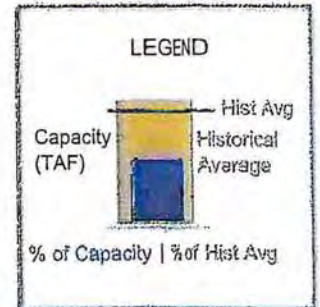




CURRENT RESERVOIR CONDITIONS

CALIFORNIA MAJOR WATER SUPPLY RESERVOIRS CURRENT CONDITIONS

Midnight - March 7, 2022

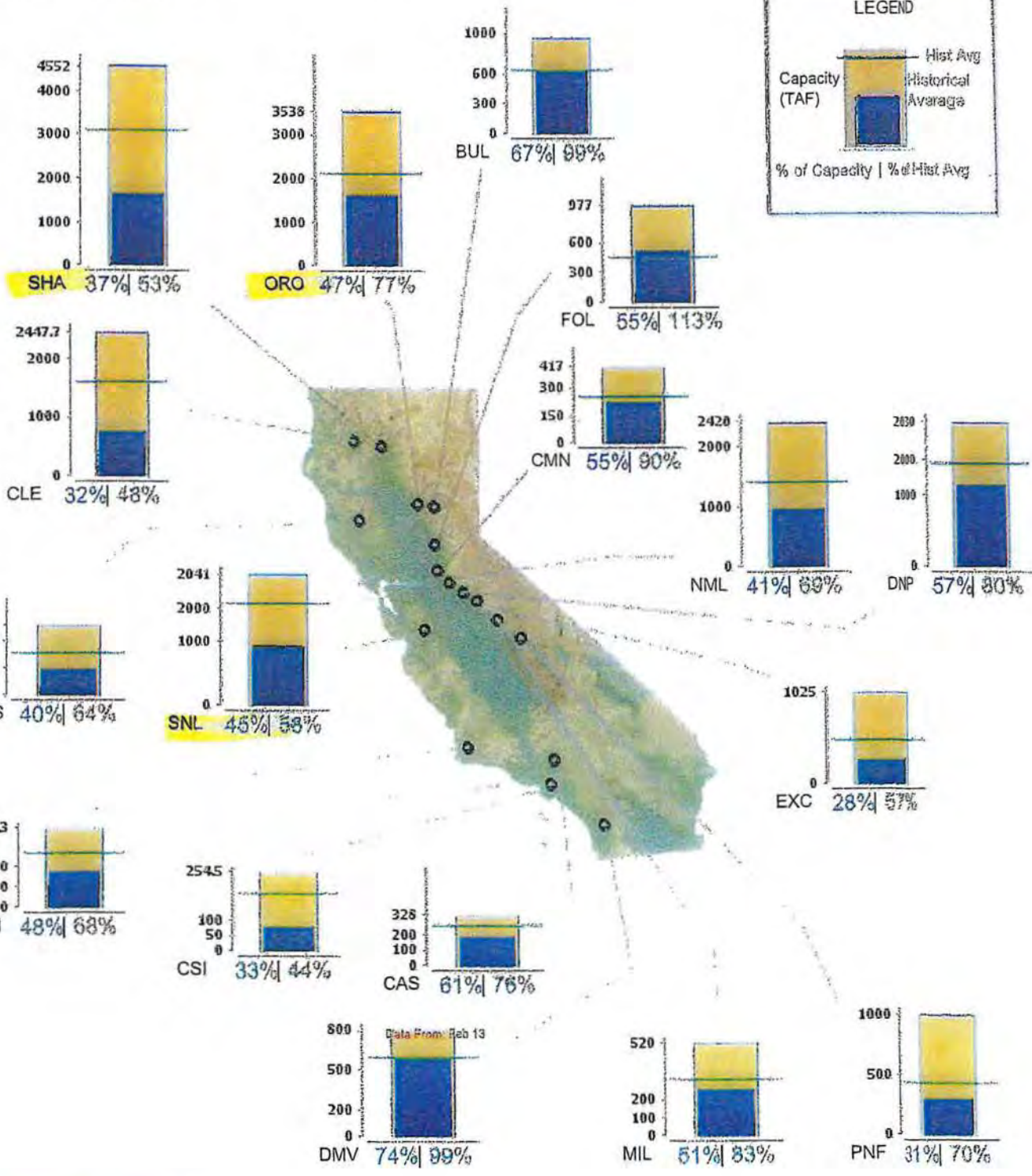
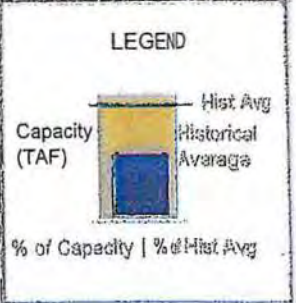




CURRENT RESERVOIR CONDITIONS

CALIFORNIA MAJOR WATER SUPPLY RESERVOIRS CURRENT CONDITIONS

Midnight - February 15, 2022

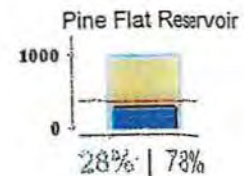
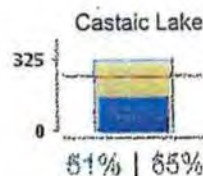
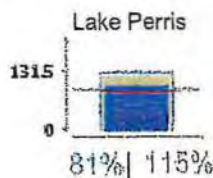
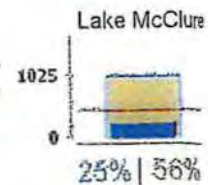
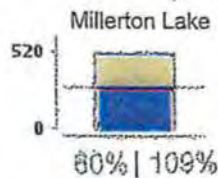
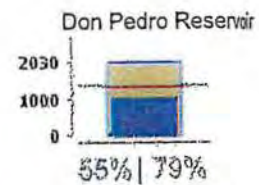
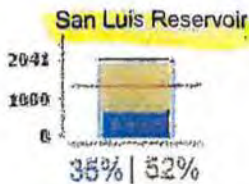
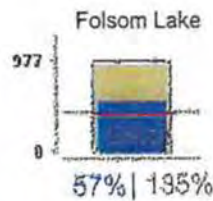
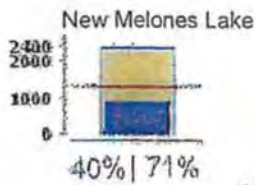
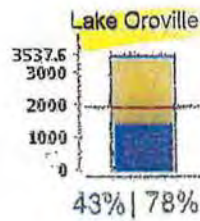
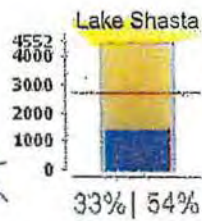
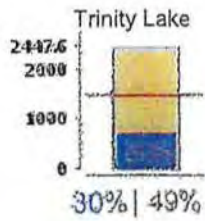




CURRENT RESERVOIR CONDITIONS

SELECTED WATER SUPPLY RESERVOIRS

Midnight: January 11, 2022



Paeter Garcia

From: lyris@swrcb18.waterboards.ca.gov
Sent: Tuesday, June 14, 2022 6:50 PM
To: Paeter Garcia
Subject: IN EFFECT: Second Water Conservation Emergency Regulation of 2022

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.



This is a message from the State Water Resources Control Board.

The second State Water Board water conservation emergency regulation of 2022 is now in effect. ([See the press release.](#))

The State Water Board adopted this regulation on May 24th and the Office of Administrative Law approved it on June 10. The emergency regulation will remain in effect for one year, unless the State Water Board modifies it, readopts it, or ends it before then.

The second water conservation emergency regulation of 2022 requires that:

- Urban water suppliers immediately submit preliminary supply and demand assessments to the Department of Water Resources;
- Urban water suppliers implement all conservation actions in their locally adopted plans meant to address at least a water shortage level of 10 to 20 percent (Level 2) by June 10, 2022; and
- Owners and managers of commercial, industrial, and institutional properties immediately cease using potable water for irrigating non-functional turf, except for in circumstances identified in the regulation.

The requirements of the *first* emergency regulation adopted in January 2022 are also still in effect.

For more information on both emergency regulations, please see their respective Frequently Asked Questions documents on the Water Conservation Emergency Regulations webpage at <https://bit.ly/conservationreg>.

If after referring to the information on the webpage you have further questions about the emergency regulations, please contact both Chris Hyun (christopher.hyun@waterboards.ca.gov) and Paola Gonzalez (paola.gonzalez@waterboards.ca.gov).

You are currently subscribed to water_conservation_regs as: pgarcia@syrwd.org.

To unsubscribe click here: leave-9239681-5497854.5a9b9f4fb76366f41fdf4d362816abe8@swrcb18.waterboards.ca.gov



Media Release

New statewide emergency water conservation regulation now in effect

June 14, 2022

Contact: Edward Ortiz, Public Information Officer

SACRAMENTO – A new statewide emergency water conservation regulation that bans using potable (drinkable) water on decorative or non-functional grass at commercial, industrial, and institutional properties went into effect Friday. It also requires urban water suppliers to implement all demand-reduction actions under Level 2 of their Water Shortage Contingency Plans.

The State Water Board adopted the regulation at its May 24 board meeting, and the Office of Administrative Law gave it final approval on June 10. The new restrictions are in response to Governor Newsom's March 28 Executive Order calling for water conservation directives to address California's new normal of climate extremes.

The regulation's ban on watering non-functional turf (turf is defined as mowed grass) at commercial, industrial and institutional properties includes areas like the grass in front of or next to large commercial buildings and common areas managed by homeowners' associations. The ban does not include watering grass used for human recreation or other community activities, watering residential grass or watering trees. The ban also does not prohibit the use of recycled water for irrigating non-functional turf.

"With increased aridification as our new reality, there is an urgency to all of us understanding and acting to ensure that water conservation is a California way of life. These regulations are part of our shared responsibility to address non-essential outdoor water use as our communities experience record-breaking drought and plan for dry conditions into next year," said Joaquin Esquivel, chair of the State Water Board.

There also are new options for addressing water waste. In addition to the State Water Board, agencies that are already authorized to enforce infractions, like water suppliers and local government, are empowered to address violations of this regulation. A violation of the non-functional turf irrigation provision, for example, would be an infraction and subject to a fine of up to \$500. This is the second State Water Board water conservation emergency regulation of 2022; the prohibitions of the first emergency regulation, adopted in January, also are infractions and are still in effect.

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY



STATE WATER RESOURCES CONTROL BOARD
1001 I Street, Sacramento, CA 95814 • Mailing Address: P.O. Box 100, Sacramento, CA 95812-0100 • www.waterboards.ca.gov





Media Release

The regulation also requires urban water suppliers to implement all demand-reduction actions under Level 2 of their Water Shortage Contingency Plans, which are actions meant to address a 10% to 20% water shortage. In addition, urban water suppliers are required to fast-track their submissions of supply and demand assessments to plan for potential extended dry conditions.

“Level 2” actions vary for each water supplier, but they often include things such as:

- Increasing communication about the importance of water conservation
- Limiting outdoor irrigation to certain days or hours
- Increasing patrolling to identify water waste
- Enforcing water-use prohibitions

Some water suppliers already have imposed strong new restrictions on customers' water use in accordance with their drought management plans; property managers should check with their local suppliers for details. However, about half of the state's 436 water suppliers have not yet activated Level 2, and 36 have not submitted drought plans.

The emergency regulation requires suppliers without drought plans to take certain conservation actions, such as conducting outreach to customers about conservation, restricting outdoor irrigation to two days a week and enforcing against wasteful water practices.

Water suppliers are expected to communicate the requirements of the emergency regulation to their customers. The State Water Board encourages agencies to provide additional assistance to disadvantaged communities and translate conservation announcements and materials into the languages spoken in their service areas. People who see water waste should report it at savewater.ca.gov or to their local water supplier, city or county. Frequently Asked Questions and more information on the State Water Board's water conservation emergency regulations can be found at <https://bit.ly/conservationreg>.

The State Water Board's mission is to preserve, enhance and restore the quality of California's water resources and drinking water for the protection of the environment, public health, and all beneficial uses, and to ensure proper allocation and efficient use for present and future generations.

**State of California
Office of Administrative Law**

In re:
State Water Resources Control Board

Regulatory Action:

Title 23, California Code of Regulations

Adopt sections: 996

Amend sections:

Repeal sections:

NOTICE OF APPROVAL OF EMERGENCY
REGULATORY ACTION

Government Code Sections 11346.1 and
11349.6

OAL Matter Number: 2022-0606-03

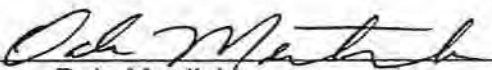
OAL Matter Type: Emergency (E)

This emergency action by the State Water Resources Control Board adopts a new regulation which requires urban water suppliers to submit preliminary supply and demand assessments to the Department of Water Resources and to implement Level 2 demand reduction actions (actions intended to result in a 10 to 20 percent savings). The regulation bans the irrigation of non-functional turf with potable water in commercial, industrial, and institutional sectors and establishes that such irrigation is an infraction punishable by a fine of up to five hundred dollars for each day in which the violation occurs pursuant to Water Code section 1058.5(d).

OAL approves this emergency regulatory action pursuant to sections 11346.1 and 11349.6 of the Government Code. Pursuant to Water Code section 1058.5(b), the Finding of Emergency in this matter was exempt from Office of Administrative Law Review.

This emergency regulatory action is effective on 6/10/2022 and, pursuant to Water Code section 1058.5(c), will expire on 6/10/2023. The Certificate of Compliance for this action is due no later than 6/9/2023.

Date: June 10, 2022


Dale Mentink
Assistant Chief Counsel

For: Kenneth J. Pogue
Director

Original: Eileen Sobeck, Executive
Director

Copy: Garrett Lenahan

EMERGENCY

For use by Secretary of State only

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-	REGULATORY ACTION NUMBER 2022	EMERGENCY NUMBER -0606-03E
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ENDORSED - FILED
 in the office of the Secretary of State
 of the State of California

JUN 10 2022

2:06 PM

For use by Office of Administrative Law (OAL) only

OFFICE OF ADMIN. LAW
2022 JUN 6 PM 3:18

NOTICE	REGULATIONS
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AGENCY WITH RULEMAKING AUTHORITY State Water Resources Control Board	AGENCY FILE NUMBER (if any)
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A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE		TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE	
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON		TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn			NOTICE REGISTER NUMBER	PUBLICATION DATE

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Water Demand Reduction Emergency Regulation		1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (including title 26, if toxics related)		
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT 996	
	AMEND	
TITLE(S) 23	REPEAL	

3. TYPE OF FILING

<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input checked="" type="checkbox"/> Emergency (Gov. Code, §11346.1(b))		<input checked="" type="checkbox"/> Other (Specify) Water Code Section 1058.5	

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)
 Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a)) Effective on filing with Secretary of State §100 Changes Without Regulatory Effect Effective other (Specify)

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
<input type="checkbox"/> Other (Specify)		

7. CONTACT PERSON Garrett Lenahan	TELEPHONE NUMBER (916) 341-5179	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional)
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE Eric Oppenheimer <small>Digitally signed by Eric Oppenheimer Date: 2022.06.06 14:24:41 -0700</small>	DATE 6/6/2022
TYPED NAME AND TITLE OF SIGNATORY Eric Oppenheimer, Chief Deputy Director, State Water Resources Control Board	

For use by Office of Administrative Law (OAL) only

AUTHORIZED FOR FILING AND PRINTING

JUN 10 2022

Office of Administrative Law

ADOPTED EMERGENCY REGULATION TEXT

Title 23. Waters
Division 3. State Water Resources Control Board and Regional Water Quality Control Boards
Chapter 3.5. Urban Water Use Efficiency and Conservation
Article 2. Prevention of Drought Wasteful Water Uses

§ 996. Urban Drought Response Actions

(a) As used in this section:

(1) "Commercial, industrial and institutional" refers to commercial water users, industrial water users, and institutional water users as respectively defined in Water Code, section 10608.12, subdivisions (e), (i), and (j), and includes homeowners' associations, common interest developments, community service organizations, and other similar entities but does not include the residences of these entities' members or separate interests.

(2) "Common interest development" has the same meaning as in section 4100 of the Civil Code.

(3) "Community service organization or similar entity" has the same meaning as in section 4110 of the Civil Code.

(4) "Homeowners' association" means an "association" as defined in section 4080 of the Civil Code.

(5) "Non-functional turf" means turf that is solely ornamental and not regularly used for human recreational purposes or for civic or community events. Non-functional turf does not include sports fields and turf that is regularly used for human recreational purposes or for civic or community events.

(6) "Plant factor" has the same meaning as in section 491.

(7) "Separate interest" has the same meaning as in section 4185 of the Civil Code.

(8) "Turf" has the same meaning as in section 491.

(9) "Urban water supplier" has the same meaning as Water Code section 10617.

(10) "Water shortage contingency plan" means the plan required by Water Code section 10632.

(b) Each urban water supplier shall submit to the Department of Water Resources a preliminary annual water supply and demand assessment consistent with section 10632.1

of the Water Code no later than June 1, 2022 or the effective date of this section, whichever comes later, and submit a final annual water supply and demand assessment to the Department of Water Resources no later than the deadline set by section 10632.1 of the Water Code.

(c) (1) Each urban water supplier that has submitted a water shortage contingency plan to the Department of Water Resources shall implement by June 10, 2022, at a minimum, all demand reduction actions identified in the supplier's water shortage contingency plan adopted under Water Code 10632 for a shortage level of ten (10) to twenty (20) percent (Level 2).

(2) Notwithstanding subdivision (c)(1), urban water suppliers shall not be required to implement new residential connection moratoria pursuant to this section.

(3) Notwithstanding subdivision (c)(1), an urban water supplier may implement the actions identified in subdivision (d) in lieu of implementing the demand reduction actions identified in the supplier's water shortage contingency plan adopted under Water Code section 10632 for a shortage level of ten (10) to twenty (20) percent (Level 2), provided the supplier meets all of the following:

(i) The supplier's annual water supply and demand assessment submitted to the Department of Water Resources demonstrates an ability to maintain reliable supply until September 30, 2023.

(ii) The supplier does not rely on, for any part of its supply, the Colorado River, State Water Project, or Central Valley Project, and no more than ten (10) percent of its supply comes from critically overdrafted groundwater basins as designated by the Department of Water Resources.

(iii) The supplier's average number of gallons of water used per person per day by residential customers for the year 2020 is below 55 gallons, as reported to the Board in the Electronic Annual Report.

(d) Each urban water supplier that has not submitted a water shortage contingency plan to the Department of Water Resources shall, by June 10, 2022, and continuing until the supplier has implemented all demand reduction actions identified in the supplier's water shortage contingency plan adopted under Water Code 10632 for a shortage level of ten (10) to twenty (20) percent (Level 2), implement at a minimum the following actions:

(1) Initiate a public information and outreach campaign for water conservation and promptly and effectively reach the supplier's customers, using efforts such as email, paper mail, bill inserts, customer app notifications, news articles, websites, community events, radio and television, billboards, and social media.

(2) Implement and enforce a rule or ordinance limiting landscape irrigation with potable water to no more than two (2) days per week and prohibiting landscape irrigation with potable water between the hours of 10:00 a.m. and 6:00 p.m.

(3) Implement and enforce a rule or ordinance banning, at a minimum, the water uses prohibited by section 995. Adoption of a rule or ordinance is not required if the supplier has authority to enforce, as infractions, the prohibitions in section 995 and takes enforcement against violations.

(e) (1) To prevent the unreasonable use of water and to promote water conservation, the use of potable water is prohibited for the irrigation of non-functional turf at commercial, industrial, and institutional sites.

(2) Notwithstanding subdivision (e)(1), the use of water is not prohibited by this section to the extent necessary to ensure the health of trees and other perennial non-turf plantings or to the extent necessary to address an immediate health and safety need.

(3) Notwithstanding subdivision (e)(1), an urban water supplier may approve a request for continued irrigation of non-functional turf where the user certifies that the turf is a low water use plant with a plant factor of 0.3 or less, and demonstrates the actual use is less than 40% of reference evapotranspiration.

(f) The taking of any action prohibited in subdivision (e) is an infraction punishable by a fine of up to five hundred dollars (\$500) for each day in which the violation occurs. The fine for the infraction is in addition to, and does not supersede or limit, any other remedies, civil or criminal.

(g) A decision or order issued under this section by the Board, or an officer or employee of the Board, is subject to reconsideration under article 2 (commencing with section 1122) of chapter 4 of part 1 of division 2 of the Water Code.

Authority: Section 1058.5, Water Code.

References: Article X, Section 2, California Constitution; Sections 4080, 4100, 4110, and 4185, Civil Code; Section 8627.7, Government Code; Sections 102, 104, 105, 275, 350, 377, 491, 1058.5, 1122, 10608.12, 10617, 10632, and 10632.1, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463; *Stanford Vina Ranch Irrigation Co. v. State of California* (2020) 50 Cal.App.5th 976

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2022-0002**

**TO ADOPT AN EMERGENCY REGULATION
TO SUPPLEMENT VOLUNTARY WATER CONSERVATION**

WHEREAS:

1. On April 21, May 10, and July 8, 2021, Governor Newsom issued proclamations that a state of emergency exists in a total of 50 counties due to severe drought conditions and directed state agencies to take immediate action to preserve critical water supplies and mitigate the effects of drought and ensure the protection of health, safety, and the environment.
2. On October 19, 2021, Governor Newsom signed a proclamation extending the drought emergency statewide and further urging Californians to reduce their water use.
3. There is no guarantee that winter precipitation will alleviate the current drought conditions.
4. Many Californians have taken bold steps over the years to reduce water use; nevertheless, the severity of the current drought and uncertainty about Water Year 2022 require additional conservation actions from residents and businesses.
5. Water conservation is the easiest, most efficient, and most cost-effective way to quickly reduce water demand and extend supplies into the next year, providing flexibility for all California communities. Water saved is water available next year, giving water suppliers the flexibility to manage their systems efficiently. The more water that is conserved now, the less likely it is that a community will experience such dire circumstances or that water rationing will be required.
6. Most Californians use more water outdoors than indoors. In many areas, 50 percent or more of daily water use is for lawns and outdoor landscaping. Outdoor water use is generally discretionary, and many irrigated landscapes would not suffer greatly from receiving a decreased amount of water.

7. Public information and awareness are critical to achieving conservation goals, and the Save Our Water campaign (SaveOurWater.com), run jointly by the Department of Water Resources (DWR) and the Association of California Water Agencies, is an excellent resource for conservation information and messaging that is integral to effective drought response.
8. SaveWater.CA.Gov is an online tool designed to help save water in communities. This website lets anyone easily report water waste from their phone, tablet, or computer by simply selecting the type of water waste they see, typing in the address where the waste is occurring, and clicking send. These reports are filed directly with the State Water Resources Control Board (State Water Board or Board) and relevant local water supplier.
9. Enforcement against water waste is a key tool in conservation programs. When conservation becomes a social norm in a community, the need for enforcement is reduced or eliminated.
10. On October 19, 2021, the Governor suspended the environmental review required by the California Environmental Quality Act to allow State Water Board-adopted drought conservation emergency regulations and other actions to take place quickly to respond to emergency conditions.
11. Water Code section 1058.5 grants the State Water Board the authority to adopt emergency regulations in certain drought years in order to: “prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion, of water, to promote water recycling or water conservation, to require curtailment of diversions when water is not available under the diverter's priority of right, or in furtherance of any of the foregoing, to require reporting of diversion or use or the preparation of monitoring reports.”
12. On November 30, 2021, the State Water Board issued public notice that the State Water Board would consider the adoption of the regulation at the Board's regularly scheduled January 4, 2022 public meeting, in accordance with applicable State laws and regulations. The State Water Board also distributed for public review and comment a Finding of Emergency that complies with State laws and regulations.
13. The emergency regulation sets a minimum standard that many communities are already doing more but not everyone is taking these low-cost, easy to implement actions that can save significant amounts of water during a drought emergency.

14. Disadvantaged communities may require assistance in increasing water conservation, and state and local agencies should look for opportunities to provide assistance in promoting water conservation, including but not limited to translation of regulation text and dissemination of water conservation announcements into languages spoken by at least 10 percent of the people who reside in a water supplier's service area, such as in newspaper advertisements, bill inserts, website homepage, social media, and notices in public libraries.
15. The Board directs staff to consider the following in pursuing any enforcement of section 995, subdivision (b)(1)(A)-(F): before imposing monetary penalties, staff shall provide one or more warnings; monetary penalties must be based on an ability to pay determination, consider allowing a payment plan of at least 12 months, and shall not result in a tax lien; and Board enforcement shall not result in shutoff.
16. The Board encourages entities other than Board staff that consider any enforcement of this regulation to apply these same factors identified in resolved paragraph 15. Nothing in the regulation or in the enforcement provisions of the regulation precludes a local agency from exercising its authority to adopt more stringent conservation measures. Moreover, the Water Code does not impose a mandatory penalty for violations of the regulation adopted by this resolution, and local agencies retain their enforcement discretion in enforcing the regulation, to the extent authorized, and may develop their own progressive enforcement practices to encourage conservation.

THEREFORE BE IT RESOLVED THAT:

1. The State Water Board adopts California Code of Regulations, title 23, section 995, as appended to this resolution as an emergency regulation.
2. State Water Board staff will submit the regulation to the Office of Administrative Law (OAL) for final approval.
3. If, during the approval process, State Water Board staff, the State Water Board, or OAL determines that minor corrections to the language of the regulation or supporting documentation are needed for clarity or consistency, the State Water Board Executive Director or designee may make such changes.

4. This regulation shall remain in effect for one year after filing with the Secretary of State unless the State Water Board determines that it is no longer necessary due to changed conditions or unless the State Water Board renews the regulation due to continued drought conditions, as described in Water Code section 1058.5.
5. The State Water Board directs State Water Board staff to work with the Department of Water Resources and the Save Our Water campaign to disseminate information regarding the emergency regulations.
6. Nothing in the regulation or in the enforcement provisions of the regulation precludes a local agency from exercising its authority to adopt more stringent conservation measures. Local agencies are encouraged to develop their own progressive enforcement practices to promote conservation.

CERTIFICATION


The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on January 4, 2022.

AYE: Vice Chair Dorene D'Adamo
Board Member Sean Maguire
Board Member Laurel Firestone
Board Member Nichole Morgan

NAY: None

ABSENT: Chair E. Joaquin Esquivel

ABSTAIN: None



Jeanine Townsend
Clerk to the Board

ADOPTED TEXT OF EMERGENCY REGULATION

Title 23. Waters

Division 3. State Water Resources Control Board and Regional Water Quality Control Boards

Chapter 3.5. Urban Water Use Efficiency and Conservation

Article 2. Prevention of Drought Wasteful Water Uses

§ 995. Wasteful and Unreasonable Water Uses.

(a) As used in this section:

(1) "Turf" has the same meaning as in section 491.

(2) "Incidental runoff" means unintended amounts (volume) of runoff, such as unintended, minimal overspray from sprinklers that escapes the area of intended use. Water leaving an intended use area is not considered incidental if it is part of the facility or system design, if it is due to excessive application, if it is due to intentional overflow or application, or if it is due to negligence.

(b)(1) To prevent the unreasonable use of water and to promote water conservation, the use of water is prohibited as identified in this subdivision for the following actions:

(A) The application of potable water to outdoor landscapes in a manner that causes more than incidental runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures;

(B) The use of a hose that dispenses water to wash a motor vehicle, except where the hose is fitted with a shut-off nozzle or device attached to it that causes it to cease dispensing water immediately when not in use;

(C) The use of potable water for washing sidewalks, driveways, buildings, structures, patios, parking lots, or other hard surfaced areas, except in cases where health and safety are at risk;

(D) The use of potable water for street cleaning or construction site preparation purposes, unless no other method can be used or as needed to protect the health and safety of the public;

(E) The use of potable water for decorative fountains or the filling or topping-off of decorative lakes or ponds, with exceptions for those decorative fountains, lakes, or ponds that use pumps to recirculate water and only require refilling to replace evaporative losses;

(F) The application of water to irrigate turf and ornamental landscapes during and within 48 hours after measurable rainfall of at least one fourth of one inch of rain. In determining whether measurable rainfall of at least fourth of one inch of rain occurred in a given area, enforcement may be based on records of the National Weather Service, the closest CIMIS station to the parcel, or any other reliable source of rainfall data available to the entity undertaking enforcement of this subdivision; and

(G) The use of potable water for irrigation of ornamental turf on public street medians.

(2) Notwithstanding subdivision (b)(1), the use of water is not prohibited by this section to the extent necessary to address an immediate health and safety need. This may include, but is not limited to, the use of potable water in a fountain or water feature when required to be potable because human contact is expected to occur.

(c)(1) To prevent the unreasonable use of water and to promote water conservation, any homeowners' association or community service organization or similar entity is prohibited from:

- (A) Taking or threatening to take any action to enforce any provision of the governing documents or architectural or landscaping guidelines or policies of a common interest development where that provision is void or unenforceable under section 4735, subdivisions (a) and (b) of the Civil Code;
- (B) Imposing or threatening to impose a fine, assessment, or other monetary penalty against any owner of a separate interest for reducing or eliminating the watering of vegetation or lawns during a declared drought emergency, as described in section 4735, subdivision (c) of the Civil Code; or
- (C) Requiring an owner of a separate interest upon which water-efficient landscaping measures have been installed in response to a declared drought emergency, as described in section 4735, subdivisions (c) and (d) of the Civil Code, to reverse or remove the water-efficient landscaping measures upon the conclusion of the state of emergency.

(2) As used in this subdivision:

- (A) "Architectural or landscaping guidelines or policies" includes any formal or informal rules other than the governing documents of a common interest development.
- (B) "Homeowners' association" means an "association" as defined in section 4080 of the Civil Code.
- (C) "Common interest development" has the same meaning as in section 4100 of the Civil Code.
- (D) "Community service organization or similar entity" has the same meaning as in section 4110 of the Civil Code.
- (E) "Governing documents" has the same meaning as in section 4150 of the Civil Code.
- (F) "Separate interest" has the same meaning as in section 4185 of the Civil Code.

(3) If a disciplinary proceeding or other proceeding to enforce a rule in violation of subdivision (c)(1) is initiated, each day the proceeding remains pending shall constitute a separate violation of this regulation.

(d) To prevent the unreasonable use of water and to promote water conservation, any city, county, or city and county is prohibited from imposing a fine under any local maintenance ordinance or other relevant ordinance as prohibited by section 8627.7 of the Government Code.

(e) The taking of any action prohibited in subdivision (b), (c) or (d) is an infraction punishable by a fine of up to five hundred dollars (\$500) for each day in which the violation occurs. The fine for the infraction is in addition to, and does not supersede or limit, any other remedies, civil or criminal.

(f) A decision or order issued under this section by the Board or an officer or employee of the Board is subject to reconsideration under article 2 (commencing with section 1122) of chapter 4 of part 1 of division 2 of the Water Code.

Authority: Section 1058.5, Water Code.

References: Article X, Section 2, California Constitution; Sections 4080, 4100, 4110, 4150, 4185, and 4735, Civil Code; Section 8627.7, Government Code; Sections 102, 104, 105, 275, 350, 491, and 1122, Water Code; *Light v. State Water Resources Control Board* (2014) 226 Cal.App.4th 1463; *Stanford Vina Ranch Irrigation Co. v. State of California* (2020) 50 Cal.App.5th 976.



**** ALERT ****

Below Normal Water Supply Conditions

The State of California is facing unprecedented drought conditions and important steps are being taken at the statewide, regional, and local levels to conserve limited water supplies. In accordance with several Drought Proclamations and Executive Orders issued by Governor Newsom, and pursuant to Resolution No. 764 adopted by the Board of Trustees of Improvement District No.1, the following water conservation measures and water use restrictions are in place for all customers of Improvement District No.1.

1. Water shall be used for beneficial purposes only; all unnecessary and wasteful uses of water are prohibited.
2. Water shall be confined to the customer's property and shall not be allowed to run off to adjoining properties or to the roadside ditch or gutter. Care shall be taken not to water past the point of saturation.
3. Landscape and lawn watering that causes runoff or within 48 hours of "measurable" rainfall is not allowed.
4. Automatic shut-off devices must be attached on any hose or filling apparatus in use.
5. All pools, spas, and ornamental fountains shall be equipped with a recirculation pump and shall be leak-proof.
6. New swimming pool and spa filling is allowed. Draining and refilling of existing pools is allowed for health, maintenance, or structural considerations. Pool and spa covers are encouraged to avoid evaporation losses.
7. Leaking customer pipes or faulty sprinklers shall be repaired within (5) five working days or less if warranted by the severity of the problem.
8. Washing streets, parking lots, driveways, sidewalks, or buildings, except as necessary for health or sanitary purposes is prohibited.
9. Use of "Temporary" water classification from meters and fire hydrant meters is prohibited for any purpose outside the District's boundaries.
10. Use of "Emergency" water is prohibited outside the District boundaries to supply water to private property owners with private wells, or for public or private entities with their own source of water supply.
11. Filling, re-filling or using District potable water to maintain water levels in any pond, lake, waterbody, man-made stream, or waterway is prohibited.
12. Customers are encouraged to take advantage of conservation programs and rebates.
13. Restaurants, hotels, cafes, cafeterias, or other public places where food is served are encouraged to provide water only upon request.
14. Operators of hotels and motels are encouraged to display water conservation signs and provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel should prominently display notice of this option in each guestroom using clear and easily understood language.
15. Voluntary 10% reduction in water use.

Improvement District No.1 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. The Board of Trustees is comprised of President Jeff Clay, Vice President Brad Joos, and Trustees Mike Burchardi, Lori Parker, and Jeff Holzer. For more information about the District, please visit our website at www.syrwd.org or contact our office at (805) 688-6015 or via email at general@syrwd.org.

WATER SUPPLY ALERT!

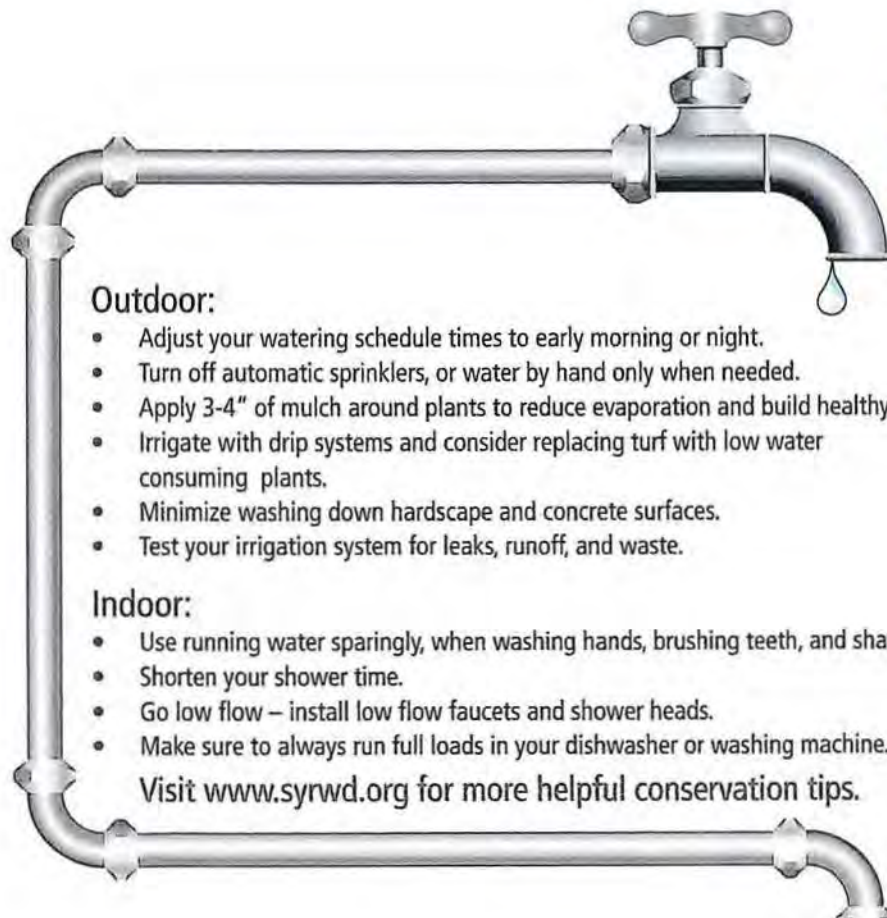
California is experiencing a severe drought, and with limited water we cannot afford to waste any of our supply. Water is a critical part to our way of life. Our economy, environment and day-to-day lifestyle needs water to flourish. If dry conditions continue, the State and the District will require water use reductions and/or mandatory restrictions.

The good news is that voluntary conservation can help stretch our water supply. The District is encouraging customers to be smart about water use and make a difference by following some easy tips on the reverse side.

By working together, we can make a difference NOW!



P.O. Box 157
Santa Ynez, CA 93460



Outdoor:

- Adjust your watering schedule times to early morning or night.
- Turn off automatic sprinklers, or water by hand only when needed.
- Apply 3-4" of mulch around plants to reduce evaporation and build healthy soil.
- Irrigate with drip systems and consider replacing turf with low water consuming plants.
- Minimize washing down hardscape and concrete surfaces.
- Test your irrigation system for leaks, runoff, and waste.

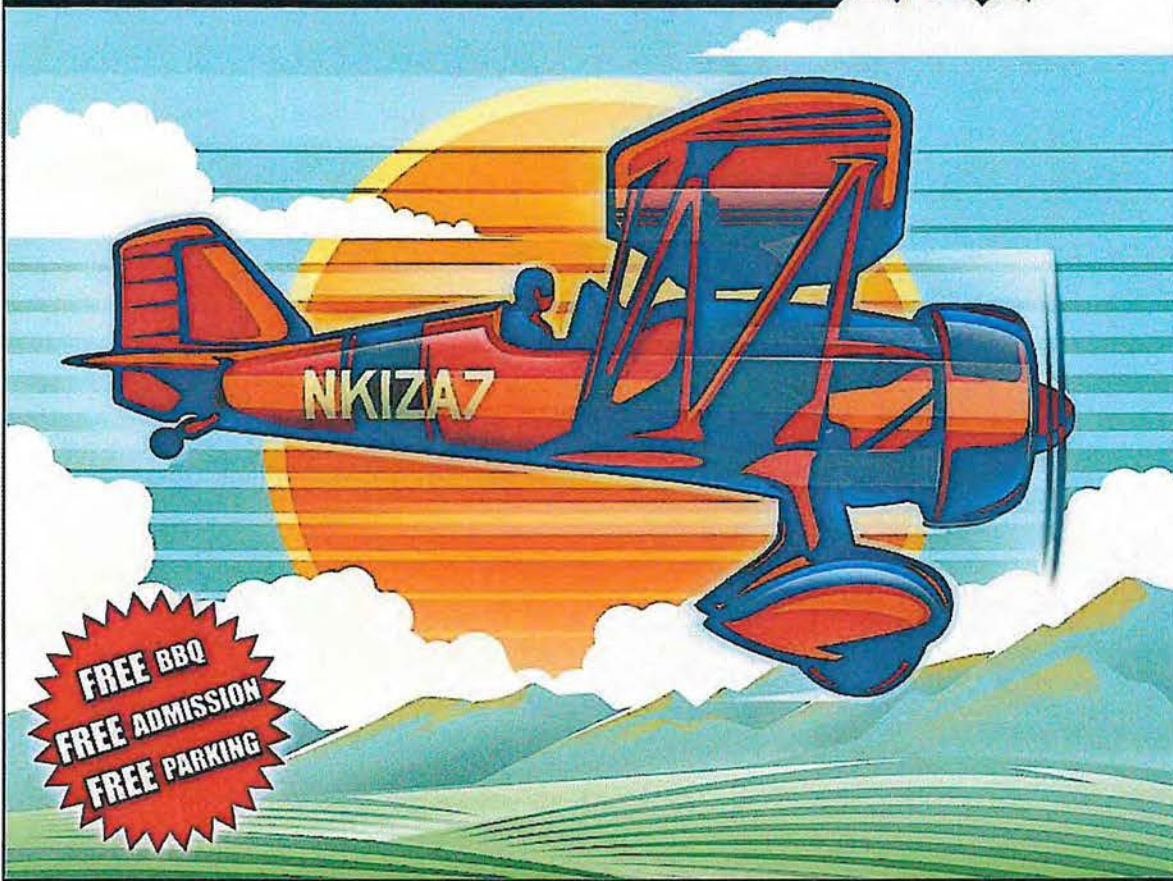
Indoor:

- Use running water sparingly, when washing hands, brushing teeth, and shaving.
- Shorten your shower time.
- Go low flow – install low flow faucets and shower heads.
- Make sure to always run full loads in your dishwasher or washing machine.

Visit www.syrwd.org for more helpful conservation tips.

7TH ANNUAL SANTA YNEZ VALLEY AIRPORT DAY

SATURDAY, MAY 21ST 2022 10AM UNTIL 4PM



**FREE BBQ
FREE ADMISSION
FREE PARKING**

SANTA YNEZ VALLEY AIRPORT

DOZENS OF AIRCRAFT ON DISPLAY WITH PILOTS WHO CAN EXPLAIN GENERAL AVIATION AND THEIR EXPERIENCES FLYING.

EAA CHAPTER 491 YOUNG EAGLES EVENT - FREE AIRPLANE RIDES FOR YOUNGSTERS 8-17 YEARS.

REGISTER NOW AT YOUNGEAGLESDAY.ORG. FLIGHTS BEGIN AT 9.00AM.

FLYING IS WEATHER DEPENDENT FOR PASSENGER SAFETY AND COMFORT.

AVIATION CAREER INFORMATION.

AVIATION EDUCATIONAL PROGRAMS.

AVIATION SCHOLARSHIP WINNERS ANNOUNCED!



SAARLOOS + SONS
FAMILY-FARMING-VINEYARDS-WINE





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

will be held at 2:00 p.m., on Thursday, June 9, 2022
at 255 Industrial Way, Buellton, California
and

Rincon Room, 1021 Anacapa Street, Santa Barbara, California

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

URL: <https://v.ringcentral.com/join/597324184>

or by dialing (650) 419-1505 and entering access Code/Meeting ID: 597324184 #

Eric Friedman
Chairman

Ed Andrisek
Vice Chairman

Ray A. Stokes
Executive Director

Brownstein Hyatt
Farber Schreck
General Counsel

Member Agencies

City of Buellton

Carpinteria Valley
Water District

City of Guadalupe

City of Santa Barbara

City of Santa Maria

Goleta Water District

Montecito Water District

Santa Ynez River Water
Conservation District,
Improvement District #1

Associate Member

La Cumbre Mutual
Water Company

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

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

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

I. Call to Order and Roll Call

II. CLOSED SESSION

A. CLOSED SESSION: CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Government Code section 54956.8

Property: *Warren Act Contract*

Agency negotiator: *Ray Stokes*

B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code § 54956.9(d)(2)

Number of cases: 1

Agenda Item II, the Closed Session, is anticipated to take 30 minutes. The remainder of the Meeting will start no earlier than 2:30 p.m.

III. Return to Open Session

A. Report on Closed Session Actions (if any)

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

V. Executive Director's Report

* A. Temporary Warren Act Contract Between CCWA and United States Bureau of Reclamation

Staff Recommendation:

1. Adopt Resolution No. 2022-05 for Approval of Temporary Warren Act Contract No. 22-WC-20-5954 with United States Bureau of Reclamation approving the Temporary Warren Act Contract and authorizing the Chair of the Board to execute the Temporary Warren Act Contract; and

2. Authorize the Chair of the Board to do and cause to be done any and all acts and things necessary or appropriate to allow for CCWA's continued use of the Cachuma Project on a temporary, interim, or emergency basis for a period not to exceed 90 days.

* Indicates attachment of document to original agenda packet.

continued

- VI. Reports from Board Members for Information Only
- VII. Items for Next Regular Meeting Agenda
- VIII. Date of Next Regular Meeting: June 23, 2022
- IX. Adjournment



CENTRAL COAST WATER AUTHORITY

MEMORANDUM

Agenda Item V.A.
Special Board of Directors
June 9, 2022

June 6, 2022

TO: CCWA Board of Directors

FROM: Ray A. Stokes
Executive Director

SUBJECT: Consideration of Resolution No. 2022-05 for Approval of Temporary Warren Act Contract No. 22-WC-20-5954 with United States Bureau of Reclamation

SUMMARY

For consideration by the Board of Directors, Staff has prepared a Resolution for approval of a short-term Warren Act Contract with the United States Bureau of Reclamation ("Reclamation"), Contract No. 22-WC-20-5954 (the "Temporary Warren Act Contract"). The Temporary Warren Act Contract is necessary to continue the annual introduction, storage, and conveyance of up to 13,750 acre-feet of water acquired by or available to CCWA from or through the State Water Project ("CCWA Water") into Cachuma Project facilities for delivery to CCWA's South Coast Participants¹ beyond June 22, 2022, when the existing 1995 Warren Act Contract ("1995 Contract") expires. The term of the Temporary Warren Act Contract would commence on the date executed by Reclamation (the "effective date") and extend through September 30, 2024.

Staff also requests that the Board authorize the Chair of the Board to obtain Reclamation's approval for CCWA's continued use of the Cachuma Project for a limited period of time, not to exceed 90 days, in the event Reclamation is delayed in executing the Temporary Warren Act Contract, including extending the 1995 Contract for a short period of time or other temporary, interim, or emergency use of the Cachuma Project as may be permitted by Reclamation.

RECOMMENDATION

Staff recommends that the Board of Directors:

1. Adopt Resolution No. 2022-05 for Approval of Temporary Warren Act Contract No. 22-WC-20-5954 with United States Bureau of Reclamation approving the Temporary Warren Act Contract and authorizing the Chair of the Board to execute the Temporary Warren Act Contract; and
2. Authorize the Chair of the Board to do and cause to be done any and all acts and things necessary or appropriate to allow for CCWA's continued use of the Cachuma Project to introduce, store and/or convey in Cachuma Project facilities water acquired by or available to CCWA from or through the State Water Project for delivery to the CCWA South Coast Participants on a temporary, interim, or emergency basis for a period not to exceed 90 days.

¹ Carpinteria Valley Water District, the City of Santa Barbara, Goleta Water District, Montecito Water District, La Cumbre Mutual Water Company, La Cumbre Mutual Water Company, Morehart Land Co., and Raytheon Systems Co.

DISCUSSION

1. Background

CCWA was formed as a Joint Powers Agency formed pursuant to Government Code section 6500 et seq. and the Joint Exercise of Powers Agreement dated August 1, 1991, as amended, to construct necessary facilities to deliver supplemental water supplies from the State Water Project to communities in San Luis Obispo and Santa Barbara Counties.

In 1994, Reclamation released an Environmental Assessment ("EA") pursuant to the National Environmental Policy Act ("NEPA") that analyzed the construction of an extension of the State Water Project Coastal Branch that would allow the annual introduction, through issuance of a long-term Warren Act Contract, of CCWA Water into the Cachuma Project facilities for delivery to CCWA's South Coast Participants. Reclamation issued a Finding of No Significant Impact ("FONSI") under NEPA on January 3, 1995 and subsequently issued a 25-year Warren Act Contract to CCWA that allowed the annual introduction, storage, and conveyance of up to 13,750 acre-feet of water acquired by or available to CCWA from or through the State into Cachuma Project facilities for delivery to the CCWA South Coast Participants for municipal and industrial uses ("1995 Contract"). The Coastal Branch and CCWA facilities were completed in 1997 and introductions of CCWA water under the 1995 Warren Act Contract began in 1997.

CCWA's 1995 Contract expires on June 22, 2022. CCWA water has been and continues to be a much-needed supplemental water supply for the South Coast, especially during drought conditions. Particularly in light of current drought conditions, the status quo—expiration of the 1995 Contract on June 22, 2022 without a new contract—could lead to a water supply emergency on the South Coast. Specifically, CCWA is currently attempting to purchase supplemental water supplies for some of the South Coast Participants under the CCWA 2022 Supplemental Water Purchase Program. Without a new contract, CCWA will be unable to deliver these supplemental water supplies, potentially risking the water purchased and the ability of one or more South Coast Participants to meet their water supply needs.

CCWA has therefore requested that, subject to compliance with applicable environmental laws, Reclamation enter into a short-term Warren Act Contract to continue the introductions, conveyance, and storage of CCWA Water into the Cachuma Project facilities for delivery to the CCWA South Coast Participants on the same terms and conditions as the 1995 Contract. Execution of the Temporary Warren Act Contract would allow time for CCWA and Reclamation to pursue and study the impacts of a new long-term Warren Act Contract for the same purpose. It would also allow time for Reclamation and the National Marine Fisheries Service ("NMFS") to finalize the re-consultation on the Cachuma Project under the Endangered Species Act ("ESA"), which process is not anticipated to be complete by June 22, 2022.

2. Temporary Warren Act Contract

CCWA and Reclamation have negotiated the Temporary Warren Act Contract. The key terms of the Temporary Warren Act Contract are:

Term: The Temporary Contract will take effect upon execution by Reclamation's Contracting Officer and will continue until September 30, 2024. The 1995 Contract expires on June 22, 2022. Accordingly, Reclamation's execution of the Temporary Contract should occur on or before June 22, 2022. (¶ 2.)

Quantity: The Temporary Contract authorizes CCWA to introduce up to 13,750 acre-feet per Year (October 1 – September 31) of Non-Project Water² into Lake Cachuma and to store and/or convey that water to the Operating Non-Federal Entity for delivery to the South Coast Participants. (¶ 3(a).) This is the same quantity as authorized under the 1995 Contract.

Transition between Existing and Temporary Contract: The Temporary Contract expressly authorizes CCWA to store and convey Non-Project Water already delivered to Lake Cachuma under the 1995 Contract and to continue to introduce, store and/or convey Non-Project water for the period between the effective date and October 1, the commencement of the new Year. (¶ 3(a).)

Excess Capacity: CCWA's right to introduce Non-Project Water into Lake Cachuma is limited to the right to use Excess Capacity. (¶ 3(a).) "Excess Capacity" means capacity in the Project Facilities in excess of that needed to meet the Project's authorized purposes, as determined solely Reclamation. In the event of Lake Cachuma spills, CCWA's Non-Project Water is the first to spill from the lake. (¶ 3(f).) CCWA's Non-Project Water is also subject to seepage and evaporation losses. (¶ 3(g).)

Rate: The rate charged by Reclamation pursuant to the Temporary Contract is subject to change (increase) each Year, which begins on October 1, based on the formula set forth in Exhibit B of the Temporary Contract. Accordingly, the rate may adjust two times during the term of the Temporary Contract. The rate for the period between the effective date and September 30, 2022 is \$95.39/acre-foot (see Temporary Contract, Exhibit B). The rate does not include the \$43/acre-foot charge that CCWA pays to COMB pursuant to the 1995 Memorandum of Understanding for the Creation of a Trust Fund between CCWA and the Cachuma Project Authority and Reclamation.

COMB: COMB is the Operating Non-Federal Entity. COMB is not a party to the 1995 Contract or Temporary Contract. Pursuant to the 1956 O&M Contract between Reclamation and COMB, Reclamation transferred responsibility for the operation and maintenance (O&M) of a portion of the Project Facilities and the costs of such O&M to COMB.

3. Short-Term Interim or Temporary Measure If Necessary To Avoid Gap In CCWA's Use Cachuma Project

As discussed in more detail below, Reclamation submitted a revised request for concurrence to NMFS on June 2, 2022. In the event Reclamation does not receive NMFS concurrence in sufficient time to allow for Reclamation's execution of the Temporary Contract on or before June 22, 2022, or other delay occurs, Staff is exploring alternative options to avoid a gap in CCWA's ability to introduce, store and/or convey CCWA Water in the Cachuma Project, if possible. For example, it may be possible to extend the 1995 Contract for a short period of time or otherwise provide for CCWA's interim or temporary continued use of the Cachuma Project until such time as the Temporary Contract is considered and executed by both parties, including on an emergency basis.

² See Exhibit C to Temporary Contract.

ENVIRONMENTAL REVIEW

1. Reclamation's Informal Consultation with NMFS and Compliance with NEPA

Reclamation issued a draft EA pursuant to NEPA for the Temporary Warren Act Contract on March 25, 2022, and the public comment period closed on April 22, 2022.

Reclamation engaged in informal consultation with NMFS and as part of that process submitted an Biological Evaluation ("BE") dated March 30, 2022 to NMFS. Subsequent to issuance of the BE, NMFS and Reclamation discussed whether further constraints on mixing of CCWA Water with downstream water rights releases from the Cachuma Project were warranted as a condition of NMFS' concurrence. On June 2, 2022, USBR submitted a revised BE ("Revised BE"). The Revised BE incorporates additional conservation measures restricting the timing and rate of release of CCWA's Water into the Santa Ynez River that NMFS indicated would be necessary as a condition of its concurrence.

Reclamation has indicated to Staff that it expects to soon receive concurrence from NMFS with Reclamation's determination that issuance of the Temporary Warren Act Contract would have either no effect on species listed under the ESA, or would be not likely to adversely affect such species or critical habitat. Reclamation has further indicated that after receiving NMFS' concurrence, it then expects to issue a Final EA and FONSI which would conclude that issuance of the Temporary Warren Act Contract would not have a significant impact on the environment. The final EA is expected to incorporate the constraint on mixing of CCWA Water with downstream water rights releases that NMFS ultimately may conclude is warranted as a condition of its concurrence.

2. CCWA's Compliance with CEQA

Pursuant to the authority delegated to the Executive Director under CCWA's Local Guidelines for Implementing CEQA, Staff has determined that CCWA's approval of the Temporary Warren Act Contract is exempt from CEQA. CEQA Guidelines section 15301 (Class 1 exemption) sets forth an exemption from CEQA for the operation and permitting of existing facilities involving negligible or no expansion of existing or former use. The Temporary Warren Act Contract fits within this exemption because it will continue to allow the annual introduction, storage, and conveyance of up to 13,750 acre-feet of CCWA Water into Cachuma Project facilities for delivery to the CCWA South Coast Participants and will therefore not expand the use of Cachuma Project facilities beyond that permitted by the 1995 Warren Act Contract. A water distribution system, like the Cachuma Project facilities, is an existing facility for the purpose of the Class 1 exemption. (*N. Coast Rivers All. v. Westlands Water Dist.* (2014) 227 Cal. App. 4th 832, 867 (citing *Turlock Irrigation Dist. v. Zanker* (2006) 140 Cal. App. 4th 1047, 1065–1066).)

None of the exceptions to use of an exemption set forth in CEQA Guidelines section 15300.2 apply and adoption of the Temporary Warren Act Contract will not have a significant impact on the environment. The Temporary Warren Act Contract will continue to allow the annual introduction, storage, and conveyance of the same quantity of CCWA Water into Cachuma Project facilities as has been authorized for the last 25 years. Under the Temporary Warren Act Contract, CCWA water would continue to be introduced and conveyed through Cachuma Project facilities (i.e., Bradbury Dam outlet works, Stilling Basin, Lake Cachuma, North Intake of the Tecolote Tunnel, and the South Coast Conduit) to the CCWA contractors located along the South Coast Conduit. No modifications to existing infrastructure or construction would occur.

As described in the Revised BE, measures to avoid and minimize effects to listed species, including the Southern California Steelhead (*Oncorhynchus mykiss*) Distinct Population Segment have been and will continue to be implemented during CCWA operations under the Temporary Warren Act Contract. Reclamation has indicated that it anticipates that the NMFS will concur with Reclamation's conclusion that approval of the Temporary Warren Act Contract will either have no effect on listed species or will be not likely to adversely affect listed species and critical habitat.

Over the last 25 years, CCWA has monitored and studied its operations under the 1995 Contract, including water quality and temperature. A description of this monitoring and recent data is included in more detail in Reclamation's EA. Through its monitoring, Staff has not identified any reasonable possibility that the continued conveyance of 13,750 acre-feet of water pursuant to the Temporary Warren Act Contract will have a significant effect on the environment.

CCWA evaluated the comments made by interested parties on the EA and on CCWA's consideration of the Temporary Warren Act Contract. One commenter raised the issue that any constraint on mixing of CCWA Water with downstream water rights releases in excess of those already imposed on existing operations, would cause potentially significant water quality impacts and therefore inconsistencies with the December 17, 2002 Settlement Agreement relating to operation of the Cachuma Project and the California State Water Resources Control Board's Order WRO 2019-0148. CCWA has determined that no comments identified any reasonable possibility that the Temporary Warren Act Contract will have a significant effect on the environment.

CCWA's position, which it has shared with Reclamation, is that any additional constraints ultimately imposed by NMFS and adopted by Reclamation on mixing of CCWA Water with downstream water rights releases, as a condition of approval of the Temporary Contract, is unnecessary and unwarranted. Ultimately, however, CCWA cannot control conditions imposed by the federal government and CCWA lacks discretion to avoid or modify these conditions. Nonetheless, in response to the issues raised by commenters, CCWA retained an environmental consultant to evaluate the potential environmental impacts, including potential impacts on water quality, energy use, and greenhouse gas ("GHG") emissions, of a range of potential restrictions that might ultimately be adopted by the federal government on mixing of CCWA Water with downstream water rights releases, including those described in the BE and Revised BE. To capture a range of potential environmental impacts, the scenarios evaluated included a constraint on mixing of CCWA Water with downstream water rights releases in the month of November (i.e., November 2022 and 2023 during the term of the Temporary Contract) and a total prohibition on such mixing throughout the term of the 27 month term of the Temporary Warren Act Contract.

The evaluation concluded that the potential impacts associated with new or additional NMFS' restrictions are not significant and therefore would not render inappropriate the use of a CEQA exemption. Specifically, the evaluation determined that NMFS' conditions will not:

- Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality;
- Conflict or obstruct implementation of a water quality control plan or sustainable groundwater management plan;
- Result in potentially significant environmental impacts due to wasteful, inefficient or unnecessary consumption of energy resources during project construction or operation;
- Conflict with or obstruct a state or local plan for renewable energy or energy efficiency;

- Generate GHG emissions either directly or indirectly that may have a significant impact on the environment; or
- Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs.

Although NMFS' new and additional restrictions on mixing may cause changes in water quality as compared to the baseline condition, under which CCWA Water is mixed with water rights releases when they occur in some, but not all, years, these changes are not significant and fall within the Class 4 categorical exemption, which exempts "minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees." (CEQA Guidelines § 15304.)

Staff also reviewed the Temporary Warren Act Contract and the December 17, 2002 Settlement Agreement relating to operation of the Cachuma Project and the California State Water Resources Control Board's Order WRO 2019-0148, to which CCWA is not a party, and confirmed that these authorities do not impose numerical limitations on water quality that would be violated due to adoption of the Temporary Warren Act Contract as conditioned by NMFS.

Attachments:

- A. Resolution No. 2022-05 a Resolution of the Board of Directors of the Central Coast Water Authority Approving Temporary Warren Act Contract No. 22-WC-20-5954 with the United States Bureau of Reclamation
 - Exhibit 1: Temporary Warren Act Contract No. 22-WC-20-5954 Between Central Coast Water Authority and United States Bureau of Reclamation
 - Exhibit 2: Notice of Exemption re. Temporary Warren Act Contract No. 22-WC-20-5954 Between Central Coast Water Authority and United States Bureau of Reclamation
- B. March 25, 2022 Environmental Assessment
- C. March 30, 2022 Biological Evaluation
- D. June 2, 2022 Biological Evaluation

RESOLUTION NO. 22-05

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CENTRAL COAST WATER AUTHORITY APPROVING TEMPORARY WARREN ACT CONTRACT NO. 22-WC-20-5954 WITH THE UNITED STATES BUREAU OF RECLAMATION

Recitals

- A. The Central Coast Water Authority ("**CCWA**") is a Joint Powers Agency formed pursuant to Government Code section 6500 et seq. and that certain Joint Exercise of Powers Agreement dated August 1, 1991, as amended, to construct necessary facilities to deliver supplemental water supplies from the State Water Project ("**SWP**") to communities in San Luis Obispo and Santa Barbara Counties; and
- B. In 1994, the United States Bureau of Reclamation ("**Reclamation**") released an Environmental Assessment ("**EA**") pursuant to the National Environmental Policy Act ("**NEPA**") that analyzed the construction of an extension of the SWP Coastal Branch that would allow the annual introduction, through issuance of a long-term Warren Act Contract, of SWP water into the Cachuma Project facilities for delivery to CCWA's South Coast Participants, including Carpinteria Valley Water District, the City of Santa Barbara, Goleta Water District, Montecito Water District, La Cumbre Mutual Water Company, Morehart Land Co., and Raytheon Systems Co. ("**CCWA's South Coast Participants**"); and
- C. Reclamation issued a Finding of No Significant Impact ("**FONSI**") under NEPA on January 3, 1995 and subsequently issued a 25-year Warren Act Contract to CCWA that allowed the annual introduction, storage, and conveyance of up to 13,750 acre-feet of water acquired by or available to CCWA from or through the SWP ("**CCWA Water**") into Cachuma Project facilities for delivery to the CCWA South Coast Participants for municipal and industrial uses; and
- D. The SWP Coastal Branch facilities were completed in 1997 and introductions of CCWA water under the 1995 Warren Act Contract began in 1997; and
- E. The 1995 Warren Act Contract will expire on or about June 22, 2022; and
- F. CCWA Water introduced, stored, and conveyed pursuant to the existing 1995 Warren Act Contract has been and continues to be a much-needed supplemental water supply for the South Coast, especially during drought conditions; and
- G. CCWA has requested, subject to compliance with applicable environmental laws, that Reclamation enter into a short-term Warren Act Contract to continue the introductions, conveyance, and storage of CCWA Water into the Cachuma Project facilities for delivery to the CCWA South Coast Participants while Reclamation and CCWA develop and study a new long-term Warren Act Contract for the same purpose and while Reclamation and the National Marine Fisheries Service finalize the re-consultation on the Cachuma Project under the Endangered Species Act ("**ESA**"), which process is not anticipated to be complete by June 2022; and

- H. The short-term Warren Act Contract, Contract No. 22-WC-20-5954 (the "**Temporary Warren Act Contract**") is attached hereto as **Exhibit 1**; and
- I. The Temporary Warren Act Contract authorizes CCWA's continued introduction, conveyance, and storage of CCWA Water in Cachuma Project facilities for the period commencing with the effective date and terminating on September 30, 2024; and
- J. Reclamation issued an EA pursuant to NEPA for the Temporary Warren Act Contract on March 25, 2022, and the public comment period closed on April 22, 2022; and
- K. Prior to Reclamation's approval of the Temporary Warren Act Contract, Reclamation will obtain concurrence from NMFS that issuance of the Temporary Warren Act Contract would have either no effect on species listed under the ESA, or would be not likely to adversely affect such species or their critical habitat; and
- L. Prior to Reclamation's approval of the Temporary Warren Act Contract, Reclamation will issue a FONSI concluding that issuance of and operations under the Temporary Warren Act Contract would not have a significant impact on the environment; and
- M. Prior to execution of the Temporary Warren Act Contract, CCWA must comply with the California Environmental Quality Act ("**CEQA**"); and
- N. Categorical exemptions from CEQA are set forth in Article 19 of Title 14 of the California Code of Regulations ("**CEQA Guidelines**"); and
- O. CEQA Guidelines section 15301 sets forth an exemption from CEQA for the operation and permitting of existing facilities involving negligible or no expansion of existing or former use and CEQA Guidelines section 15304 further exempts projects that entail minor alterations in the condition of water; and
- P. The Temporary Warren Act Contract will continue to allow the annual introduction, storage, and conveyance of up to 13,750 acre-feet of water acquired by or available to CCWA from or through the SWP into Cachuma Project facilities for delivery to the CCWA South Coast Participants and will therefore not expand the use of Cachuma Project facilities beyond that permitted by the 1995 Warren Act Contract; and
- Q. The CCWA Board of Directors has considered, agrees with, and incorporates herein all of the findings made by Staff in the Notice of Exemption attached hereto as **Exhibit 2**, including but not limited to, the determinations that approval of the Temporary Warren Act Contract falls within a categorical exclusion under CEQA and that none of the exceptions to use of an exemption set forth in CEQA Guidelines section 15300.2 apply and the Project will not have a significant impact on the environment.

NOW THEREFORE, THE BOARD OF DIRECTORS DOES HEREBY FIND AND RESOLVE AS FOLLOWS:

SECTION 1. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

SECTION 2. Based on the findings set forth herein, the Board of Directors approves the Temporary Warren Act Contract attached hereto as **Exhibit 1**. This resolution constitutes complete and final agreement by CCWA to be bound by the terms of the Temporary Warren Act Contract and this Resolution shall take effect immediately.

SECTION 3. The Board of Directors authorizes the **Chair of the Board** to execute the Temporary Warren Act Contract in a form substantially the same as attached hereto as **Exhibit 1**.

SECTION 4. The Board of Directors authorizes and directs the **Executive Director** to do and cause to be done any and all acts and things necessary or appropriate to carry out the intention of this Resolution, including executing any and all documents related to the implementation of the Temporary Warren Act Contract.

I certify that the foregoing resolution was duly and regularly introduced and adopted by the Board of Directors of the Central Coast Water Authority at a special meeting held on June 9, 2022.

Eric Friedman, Chairman

[Seal]

Attest:

Elizabeth Watkins
Secretary to the Board of Directors

[Insert voting percentage tally table]

Exhibits:

1. Temporary Warren Act Contract No. 22-WC-20-5954 Between Central Coast Water Authority and United States Bureau of Reclamation
2. Notice of Exemption re. Temporary Warren Act Contract No. 22-WC-20-5954 Between Central Coast Water Authority and United States Bureau of Reclamation

Temporary Warren Act Contract – Year 2022

M&I Only

Contract No. 22-WC-20-5954

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
Cachuma Project, California

TEMPORARY CONTRACT BETWEEN THE UNITED STATES
AND
THE CENTRAL COAST WATER AUTHORITY
PROVIDING FOR STORAGE AND CONVEYANCE OF NON-PROJECT WATER

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UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
Cachuma Project, California

TEMPORARY CONTRACT BETWEEN THE UNITED STATES
AND
THE CENTRAL COAST WATER AUTHORITY
PROVIDING FOR STORAGE AND CONVEYANCE OF NON-PROJECT WATER

1 THIS CONTRACT, made this _____ day of _____, 2022,
2 pursuant to the Act of June 17, 1902 (32 Stat. 388), and acts amendatory thereof or
3 supplementary thereto, including the Act of February 21, 1911 (36 Stat. 925), and Section 305 of
4 the Reclamation States Emergency Drought Relief Act of 1991, enacted March 5, 1992
5 (106 Stat. 59), all collectively hereinafter referred to as the Federal Reclamation laws, between
6 the UNITED STATES OF AMERICA, hereinafter referred to as the United States, represented
7 by the officer executing this Contract, hereinafter referred to as the Contracting Officer, and the
8 CENTRAL COAST WATER AUTHORITY, hereinafter referred to as the Contractor;

9 WITNESSETH, That:

10 EXPLANATORY RECITALS

11 [1st] WHEREAS, on September 12, 1949, the United States and the Santa
12 Barbara County Water Agency, hereinafter referred to as the Agency, entered into Contract No.
13 I75r-1802, which was renewed by Contract No. I75r-1802R dated April 14, 1996, and amended
14 by Contract No. I75r-1802RA dated September 28, 2020, pursuant to which water from the
15 Cachuma Project is furnished to Carpinteria Valley Water District, the City of Santa Barbara,
16 Goleta Water District, Montecito Water District, and Santa Ynez River Water Conservation

17 District Improvement District No. 1, hereinafter collectively referred to as the Member Units;
18 and

19 [2nd] WHEREAS, on July 6, 1995, the Contractor and the Cachuma Project
20 Authority, currently known as Cachuma Operations Maintenance Board (COMB), a joint
21 exercise of powers authority comprised of the Member Units, entered into a Memorandum of
22 Understanding (MOU) for the creation of a trust fund dedicated to developing and supporting
23 water management programs and projects beneficial to the Cachuma Project with the expectation
24 that the United States would become a party to such MOU in conjunction with entering into a
25 contract permitting the Contractor's use of the Cachuma Project for the Storage and/or
26 Conveyance of Non-Project Water; and

27 [3rd] WHEREAS, on July 25, 1995, the United States and the Contractor
28 entered into Contract No. 5-07-20-W1282, to Store and/or Convey through facilities of the
29 Cachuma Project a supply of Non-Project Water for municipal and industrial uses; and

30 [4th] WHEREAS, on June 2, 1997, the United States and the Contractor entered
31 into an amendment to Contract No. 5-07-20-W1282 for the purpose of changing the definition of
32 "Year" in Contract No. 5-07-20-W1282; and

33 [5th] WHEREAS, Contractor asserts rights in a long-term contract with the
34 California Department of Water Resources, dated February 26, 1963, for the delivery of water
35 from and/or through the State Water Project to the County of Santa Barbara; and

36 [6th] WHEREAS, Contractor holds contracts with public water providers,
37 including the Member Units and parties collectively referred to as the Contractor Participants for
38 the delivery of water from and/or through State Water Project to each of the Contractor
39 Participants; and

40 [7th] WHEREAS, pursuant to the above-referenced contracts, Contractor is
41 obligated to deliver water to Lake Cachuma for Carpinteria Valley Water District, the City of
42 Santa Barbara, Goleta Water District, Montecito Water District, and other Contractor
43 Participants, hereinafter collectively referred to as the South Coast Participants; and

44 [8th] WHEREAS, pursuant to Contract No. 5-07-20-W1282, the Contractor has
45 Stored and/or Conveyed Non-Project Water in and/or through the Project since 1997; and

46 [9th] WHEREAS, pursuant to amended Contract No. 14-06-200-5222R, and as
47 amended, the United States transferred responsibility for the operation and maintenance (O&M)
48 of a portion of the Project Facilities and the costs of such O&M to the designated Operating
49 Non-Federal Entity; and

50 [10th] WHEREAS, Contractor has a continuing need for the Storage and/or
51 Conveyance of Non-Project Water from and/or through Project to the extent that Excess
52 Capacity is available in Project Facilities; and

53 [11th] WHEREAS, Contract No. 5-07-20-W1282 expires in June 2022, but
54 “Year” under that contract and this Contract is defined as the period from and including October
55 1st of the Calendar Year through September 30th of the following Calendar Year. Therefore, this
56 Contract includes accounting provisions that apply to only the 2021-2022 Contract Year, to
57 adjust for the difference in contract expiration and contract year.

58 [12th] WHEREAS, the United States is willing to Store and/or Convey said Non-
59 Project Water through Excess Capacity in said Project Facilities in accordance with the terms
60 and conditions hereinafter stated; and

61 [13th] WHEREAS, it is not the intention of the parties that this Contract will
62 change the quantity of water diverted from the Santa Ynez River, the point of diversion, the

63 quantities of the Project water made available to water purveyors who receive Project water or
64 the rights and responsibilities of the Member Units concerning operation and maintenance; and

65 [14th] WHEREAS, the environmental compliance requirements for the execution
66 of this Contract have been met by Environmental Assessment CGB-EA-2022-023, entitled
67 "Central Coast Water Authority Temporary Warren Act Contract," which resulted in a Finding
68 of No Significant Impact, dated mm/dd/yr.

69 NOW, THEREFORE, in consideration of the covenants herein contained, the
70 parties agree as follows:

71 DEFINITIONS

72 1. When used herein unless otherwise distinctly expressed, or manifestly
73 incompatible with the intent of the parties as expressed in this Contract, the term:

74 (a) "Calendar Year" shall mean the period January 1 through December 31,
75 both dates inclusive;

76 (b) "Contracting Officer" shall mean the Secretary of the Interior's duly
77 authorized representative acting pursuant to this Contract or applicable Reclamation law or
78 regulation;

79 (c) "Contractor's Boundaries" shall mean the geographic area within which
80 the Contractor is authorized to serve Non-Project Water as set forth on Exhibit "A", which may
81 be modified in accordance with Article 24, without amendment of this Contract;

82 (d) "Conveyance or Convey" shall mean the transportation of Non-Project
83 water through any or all of the following: (i) Lake Cachuma, if the water is released from Lake
84 Cachuma within 30 days of its introduction, or (ii) other Project facilities;

85 (e) “CCWA Participants” shall mean water providers and water users in Santa
86 Barbara County that contract with CCWA for the delivery of imported water;

87 (f) “CCWA's South Coast Participants” shall mean Carpinteria Valley Water
88 District, City of Santa Barbara, Goleta Water District, Montecito Water District, La Cumbre
89 Mutual Water Company, Morehart Land Co. and Raytheon Systems Co.;

90 (g) “Excess Capacity” shall mean excess capacity, diversion, Storage,
91 Conveyance, or pumping capacity in Project Facilities that is not needed to meet Reclamation’s
92 obligations for authorized Project purposes, as determined solely by the Contracting Officer;

93 (h) “Member Units” shall mean Carpinteria Valley Water District, City of
94 Santa Barbara, Goleta, Water District, Montecito Water District and Santa Ynez River Water
95 Conservation District Improvement District No. 1;

96 (i) “Non-Project Water” shall mean water not appropriated by the United
97 States for the Project which is acquired by or available to the Contractor from or through the
98 State Water Project from the sources identified in Exhibit “C” and from other sources as may be
99 approved by the Contracting Officer, all of which shall be treated to California drinking water
100 quality standards at Contractor’s Polonio Pass Water Treatment Facility, which is located in
101 northeastern San Luis Obispo County;

102 (j) “Operating Non-Federal Entity” or “Cachuma Operations Maintenance
103 Board” or “COMB” shall mean the non-Federal entity that has the obligation pursuant to a
104 separate agreement with the United States to operate and maintain a portion of the Project
105 Facilities, and which may have funding obligations with respect thereto;

106 (k) “Project” shall mean the Cachuma Project including but not limited to
107 Bradbury Dam, Lake Cachuma (Lake), Tecolote Tunnel (Tunnel), Lauro Reservoir, and the

108 South Coast Conduit (Conduit) facilities constructed by the United States and managed by the
109 Department of the Interior, Bureau of Reclamation;

110 (l) "Project Facilities" shall mean the associated facilities, constructed as
111 features of the Cachuma Project;

112 (m) "Project Water" shall mean all water that is developed, diverted, stored, or
113 delivered by the Secretary in accordance with the statutes authorizing the Project and in
114 accordance with the terms and conditions of water rights acquired pursuant to California law;

115 (n) "Rates" shall mean the amount to be paid to the United States by the
116 Contractor, as set forth in Exhibit "B", for the use of Excess Capacity in the Project Facilities
117 made available pursuant to this Contract;

118 (o) "Secretary" shall mean the Secretary of the Interior, a duly appointed
119 successor, or an authorized representative acting pursuant to any authority of the Secretary and
120 through any agency of the Department of the Interior;

121 (p) "South Coast Member Units" shall mean Carpinteria Valley Water
122 District, City of Santa Barbara, Goleta Water District and Montecito Water District;

123 (q) "Spill" shall mean an event during which (i) the Lake surface is above the
124 Maximum Conservation Storage Pool Elevation and releases are being made through the
125 spillway, or (ii) releases are being made through the outlet works valves to maintain the Lake
126 surface at the Maximum Conservation Storage Pool Elevation. "Maximum Conservation
127 Storage Pool Elevation" is the elevation above which water may not be stored for the purpose of
128 conservation under applicable law, regulation, or operating criteria and procedures. As of the
129 effective date of this Contract, the Maximum Conservation Storage Pool Elevation is 750.0 feet
130 above Mean Sea Level;

131 (r) "Storage or Store" shall mean the retention of Non-Project Water in the
132 Lake Cachuma for a period in excess of 30 days;

133 (s) "Year" shall mean the period from and including October 1st of the
134 Calendar Year through September 30th of the following Calendar Year.

135 TERM OF CONTRACT

136 2. This Contract shall become effective on the date hereinabove written and shall
137 remain in effect through September 30, 2024: Provided, That upon written notice to the
138 Contractor, this Contract may be terminated by the Contracting Officer at an earlier date, if the
139 Contracting Officer determines that the Contractor has not been complying with one or more
140 terms or conditions of this Contract.

141 INTRODUCTION, STORAGE, CONVEYANCE, AND DELIVERY OF NON-PROJECT

142 WATER

143 3. (a) During the term of this Contract, the Contractor may introduce, Store
144 and/or Convey up to 13,750 acre-feet each Year of Non-Project Water, as identified in Exhibit
145 "C", into the Project Facilities at Lake Cachuma. In addition, Contractor may Store and/or
146 Convey Non-Project Water introduced into the Project Facilities pursuant to Contract No. 5-07-
147 20-W1282 for Year 2021-2022 only, and further may introduce, Store and/or Convey Non-
148 Project Water up to 10,000 acre-feet for the period commencing with the effective date of this
149 Contract and continuing through September 30, 2022: Provided, however, that the total quantity
150 of water introduced, Stored and/or Conveyed for the Year commencing on October 1, 2021 and
151 ending on September 30, 2022, shall not exceed 13,750 acre-feet. In addition, the Contractor
152 may have the right to introduce and store additional Non-Project Water to the extent the
153 Contractor determines that it has the need for such services and to the extent the Contracting

154 Officer determines that the necessary Excess Capacity is available. The United States, acting by
155 or through the designated Operating Non-Federal Entity, shall Store and/or Convey Non-Project
156 Water through Excess Capacity in the Project Facilities from said point(s) of introduction for
157 delivery to the Contractor's South Coast Participants at the Tunnel or other location(s) mutually
158 agreed to in writing by the United States, acting by or through its agent the designated Operating
159 Non-Federal Entity, and the Contractor, acting by or through the Contractor's South Coast
160 Participants, in accordance with an approved schedule submitted by the Contractor pursuant to
161 subdivision (d) of this Article: Provided, That the quantity of Non-Project Water to be Stored
162 and/or Conveyed on behalf of the Contractor's South Coast Participants in/through Project
163 Facilities shall not exceed the quantity of Non-Project Water previously introduced into the
164 Project Facilities by the Contractor at said point(s) of introduction.

165 (a.1) In the event the quantity of water introduced by Contractor under this
166 Contract exceeds the quantity of Non-Project water authorized pursuant to subdivision (a) of this
167 Article, the Operating Non-Federal Entity shall immediately take all reasonable actions to make
168 available a like amount of water, plus conveyance loss, into the Project Facilities for use by the
169 United States for Project purposes. The provisions of this subdivision are not exclusive and shall
170 not prohibit the United States from exercising any other remedy under existing law, including
171 but not limited to the early termination of this Contract pursuant to Article 2 of this Contract.

172 (b) Exhibit "C" may be modified or replaced by mutual agreement of the
173 Contractor and the Contracting Officer to reflect changes to the Non-Project water without
174 amendment of this Contract: Provided, however, That no such modification or replacement shall
175 be approved by the Contracting Officer absent the completion of all appropriate environmental
176 documentation, including but not limited to documents prepared pursuant to the National

177 Environmental Policy Act of 1969 (NEPA) and the Endangered Species Act of 1973 (ESA), as
178 amended.

179 (c) All Non-Project Water Stored and/or Conveyed and delivered to the
180 Contractor's South Coast Participants pursuant to this Contract shall be used for Municipal and
181 Industrial purposes.

182 (d) Prior to the introduction of Non-Project Water into the Project Facilities,
183 the Contractor shall submit a schedule to the Contracting Officer and the designated Operating
184 Non-Federal Entity showing the quantities of Non-Project Water to be introduced into the
185 Project Facilities, Provided That the desired time or times for delivery of said Non-Project Water
186 will be scheduled by the Contractor's South Coast Participants with the Operating Non-Federal
187 Entity: Provided further, That the Contractor's South Coast Participants are not required to
188 initially schedule delivery of the maximum quantity of Non-Project Water for which the
189 Contractor desires Storage and/or Conveyance during the term of this Contract. Contractor's
190 schedule for introduction of Non-Project Water, and any revision(s) thereof, shall be in a form
191 acceptable to the Contracting Officer and shall be submitted at such times and in such manner as
192 determined by the Contracting Officer. The Contractor shall not introduce Non-Project Water
193 into the Project Facilities unless and until the schedule and any revision(s) thereof have been
194 approved by the Contracting Officer.

195 (e) All Non-Project Water remaining in the Project Facilities upon expiration
196 or termination of this Contract shall be deemed to be unused water donated to the United States
197 for Project purposes. Further, all Non-Project Water introduced by Contractor into the Project
198 Facilities and made available for delivery to the Contractor's South Coast Participants from the

199 Project Facilities and not accepted by the Contractor's South Coast Participants shall be deemed
200 to be unused water donated to the United States for Project purposes.

201 (f) If Spill occurs from the Lake, the first water Spilled shall be deemed to be
202 the Non-Project Water then in the Lake. No Non-Project Water shall be introduced into the Lake
203 during a Spill: Provided, That the Contracting Officer will, to the extent possible, inform the
204 Contractor by written notice, or otherwise, of any impending Spill from the Lake: and Provided
205 further, That to the extent Non-Project Water is enroute to and/or Stored in the Lake, when the
206 Contractor has been so informed, such Non-Project Water shall, at the Contractor's South Coast
207 Participants' request, be released into the Tunnel or into the Santa Ynez River, to the extent the
208 United States is able to do so as conclusively determined by the Contracting Officer.

209 (g) The quantity of Non-Project Water shall be subject to seepage and/or
210 evaporation loss when Stored in the Lake. The quantity of water which seeps or evaporates from
211 the Lake shall be determined by the Contracting Officer in coordination with the Operating Non-
212 Federal Entity and prorated between the Non-Project Water and Project water on a monthly
213 basis.

214 (h) The Contracting Officer shall permit the Contractor to utilize Excess
215 Capacity to Store and/or Convey Non-Project Water each Year prior to permitting such use by
216 any other individual, agency or entity, excepting use of Excess Capacity by a Member Unit (or
217 successor) pursuant to an agreement between the United States and that Member Unit, which use
218 shall be considered to be of equal priority with a use of Excess Capacity by the Contractor.

219 (i) Unless otherwise agreed to in writing by the Contracting Officer, the Non-
220 Project Water shall be introduced into the Lake and delivered to the Contractor's South Coast
221 Participants through existing Project Facilities. If temporary inflow or delivery facilities are

222 required to effectuate the introduction of Non-Project Water into the Project Facilities or the
223 delivery of the Non-Project Water to the Contractor's South Coast Participants from the Project
224 Facilities, the Contractor shall, at its own cost and expense obtain all appropriate environmental
225 documents, necessary rights-of-way for such facilities, including the appropriate right of-use
226 agreement(s) or other authorizations issued by the United States for any such facilities located on
227 right-of-way for existing Project Facilities. The Contractor, at its own cost and expense, shall be
228 responsible for providing, installing, operating, maintaining, repairing, replacing, and removing
229 said inflow and delivery facilities. The Contractor hereby grants to the Contracting Officer and
230 the Operating Non-Federal Entity access, for the purposes of this Contract, to all temporary
231 inflow and delivery facilities installed by the Contractor.

232 (j) The introduction of Non-Project Water into the Project Facilities by the
233 Contractor shall be conditioned upon compliance by the Contractor with the environmental
234 measures described in the environmental documentation prepared in connection with the
235 execution of this Contract and with the terms of the applicable operations procedures approved
236 by the Contracting Officer.

237 MEASUREMENT OF NON-PROJECT WATER

238 4. (a) The quantity of Non-Project Water shall be measured and recorded prior
239 to the point of introduction into the Lake and at the point of diversion from the Lake as provided
240 in this article.

241 (b) The Non-Project Water introduced into the Lake shall be measured and
242 recorded at the Santa Ynez Pumping Plant by the Contractor with devices approved by the
243 Contracting Officer. The Contractor shall examine, test and service the measuring and recording
244 devices. Upon the written request of either party or at least once a Calendar Year, the Contractor

245 and the Contracting Officer shall investigate the accuracy of the measuring and recording
246 devices required by this Contract and the Contractor shall promptly correct any errors in
247 measurement or recording disclosed by such investigation. If such device is found to be
248 defective or inaccurate, it shall be adjusted, repaired, or replaced without expense to the United
249 States. In the event the Contractor neglects or fails to make such repairs or replacements within
250 a reasonable time and to the reasonable satisfaction of the Contracting Officer, the Contracting
251 Officer shall determine the appropriate measurements to be used to implement this Contract
252 pending the Contractor's completion of the necessary repairs or replacements.

253 (c) The Non-Project water delivered from the Lake to the South Coast
254 Participants shall be measured and recorded at the Tunnel. The South Coast Participants
255 currently provide for measurement and recordation of water delivered by or through a portion of
256 the Project Facilities including the Tunnel, and are responsible for the accuracy and servicing of
257 the measuring and recording devices at the Tunnel, which responsibilities are carried out through
258 COMB. Therefore, the Contractor and/or the Contractor's South Coast Participants shall seek to
259 engage the services of COMB or any successor entity thereof designated by the South Coast
260 Member Units to measure and record the quantity of Non-Project Water at the Tunnel. If COMB
261 or any successor entity declines or is unable to perform such service, the Contractor and/or the
262 Contractor's South Coast Participants shall otherwise provide for measurement and recordation
263 of Non-Project Water diverted from the Lake including the accuracy of measuring and recording
264 devices in a manner similar to that described in paragraph 4(b) above.

265 (d) Upon the request of either party to this Contract, the Contracting Officer
266 shall investigate, or cause to be investigated by the Operating Non-Federal Entity, the accuracy
267 of all measurements of Non-Project Water required by this Contract. If the investigation

268 discloses errors in the recorded measurements, such errors shall be promptly corrected. If the
269 investigation discloses that measurement devices are defective or inoperative, the Contracting
270 Officer shall take any necessary actions to ensure that the responsible party makes the
271 appropriate adjustments, repairs, or replacements to the measurement devices. In the event the
272 Contractor, as the responsible party, neglects or fails to make such adjustments, repairs, or
273 replacements to the measurement devices within a reasonable time and to the reasonable
274 satisfaction of the Contracting Officer, the Contracting Officer may cause such adjustments,
275 repairs, or replacements to be made and the costs thereof shall be charged to the Contractor and
276 the Contractor shall pay said charges to the United States immediately upon receipt of a detailed
277 billing. For any period of time during which accurate measurements of the Non-Project Water
278 have not been made, the Contracting Officer shall consult with the Contractor and the Operating
279 Non-Federal Entity prior to making a determination of the quantity of Non-Project Water
280 introduced, Stored and/or Conveyed and delivered for that period of time and such determination
281 by the Contracting Officer shall be final and binding on the Contractor.

282 OPERATION AND MAINTENANCE BY OPERATING NON-FEDERAL ENTITY

283 5. (a) The operation and maintenance (O&M) of a portion of the Project
284 Facilities to be used to introduce, Store and/or Convey and deliver the Non-Project Water to the
285 Contractor's South Coast Participants, and responsibility for funding a portion of the costs of
286 such O&M, have been transferred from the United States to the COMB, the designated
287 Operating Non-Federal Entity, pursuant to a separate agreement, identified as amended Contract
288 No. 14-06-200-5222R, as amended. That separate agreement shall not interfere with or affect
289 the rights or obligations of the Contractor or the United States hereunder.

290 (b) The Contractor or the Contractor's South Coast Participants, if applicable,
291 may pay directly to the COMB, or to any successor approved by the Contracting Officer under
292 the terms and conditions of the separate agreement described in subdivision (a) of this Article 5,
293 all rates, charges, or assessments of any kind, including any assessment for reserve funds, that
294 the COMB or such successor determines, sets, or establishes for the operation and maintenance
295 of the portion of the Project Facilities operated and maintained by the COMB or such successor
296 used to Store and/or Convey and deliver the Non-Project Water to the Contractor's South Coast
297 Participants.

298 (c) For so long as the O&M of any portion of the Project Facilities used to
299 Store and/or Convey and deliver the Non-Project Water to the Contractor's South Coast
300 Participants is performed by the COMB, or any successor thereto, the Contracting Officer shall
301 adjust those components of the Rates for the Non-Project Water Stored and/or Conveyed under
302 this Contract by deleting the costs associated with the activity being performed by the COMB or
303 its successor.

304 (d) In the event the United States reassumes O&M of any portion of the
305 Project Facilities from the Operating Non-Federal Entity, the Contracting Officer shall so notify
306 the Contractor, in writing, and shall revise the Rates on Exhibit "B" to include the costs
307 associated with the O&M activities reassumed by the United States.

308 PAYMENTS AND ADJUSTMENTS

309 6. (a) At the time the Contractor submits a schedule, or any revision(s) thereof
310 pursuant to subdivision (d) of Article 3 of this Contract, the Contractor shall make an advance
311 payment to the United States equal to the total amount payable pursuant to the applicable Rates
312 shown on Exhibit "B", revised each Year, for each acre-foot of Non-Project Water to be

313 introduced into the Project Facilities: Provided, however, a reconciliation for Contract No. 5-07-
314 20-W1282 will be performed for the period October 1, 2021 through the effective date of this
315 Contract. Contractor shall be credited for overpayment and will be billed for any outstanding
316 obligations with regard to Contract No. 5-07-20-W1282. Non-Project Water shall not be
317 introduced into Project Facilities by the Contractor prior to such payment being received by the
318 United States.

319 (b) In the event the quantity of water delivered by the Operating Non-Federal
320 Entity to the Contractor's South Coast Participants exceeds the quantity of Non-Project Water
321 authorized to be introduced into the Project Facilities pursuant to subdivision (a) of Article 3 of
322 this Contract, that additional amount of water shall be deemed Project water delivered to the
323 South Coast Participants in accordance with subdivision (a)(i) of Article 3 of this Contract. The
324 Contracting Officer in coordination with the Contractor may invoke provisions not described
325 herein to resolve the unauthorized delivery of water. The provisions of this subdivision are not
326 exclusive and shall not prohibit the United States from exercising any other remedy, including
327 but not limited to the early termination of this Contract pursuant to Article 2 of this Contract.

328 (c) The amount of any overpayment by the Contractor by reason of the
329 quantity of Non-Project Water introduced into the Project Facilities and Stored and/or Conveyed
330 pursuant to this Contract, as conclusively determined by the Contracting Officer, having been
331 less than the quantity which the Contractor otherwise under the provisions of this Contract would
332 have been required to pay for, shall be applied first to any accrued indebtedness arising out of
333 this Contract then due and owing to the United States by the Contractor. Any amount of such
334 overpayment then remaining shall be refunded to the Contractor: Provided, however, That no
335 refund shall be made by the United States to the Contractor for any quantity of Non-Project

336 Water deemed to be unused water donated to the United States for Project purposes pursuant to
337 subdivision (e) of Article 3 of this Contract.

338 (d) All payments made by the Contractor pursuant to subdivision (a) of this
339 Article 6 shall be covered into the Reclamation Fund pursuant to Section 3 of the Act of
340 February 21, 1911 (36 Stat. 925).

341 (e) The payment of the Rates set forth in this Article 6 for the use of Excess
342 Capacity are exclusive of any applicable O&M costs to be paid directly to the Operating Non-
343 Federal Entity by the Contractor. In accordance with the Act of February 21, 1911 (36 Stat.
344 925), the Contractor may not impose on its water users any charge for the use of Excess
345 Capacity, as applicable, that exceeds the total amount paid to the United States and to the
346 Operating Non-Federal Entity: Provided, That the Contractor may not impose on Contractor's
347 Participants any charge for the use of Excess Capacity, as applicable, that exceeds the total
348 amount paid to the United States and to the Operating Non-Federal Entity: Provided, That the
349 Contractor may also charge its water users such additional amounts as are necessary to cover the
350 Contractor's reasonable administrative costs in contracting with the United States for the use of
351 Excess Capacity in the Project Facilities.

352 MEDIUM FOR TRANSMITTING PAYMENTS

353 7. (a) All payments from the Contractor to the United States under this Contract
354 shall be by the medium requested by the United States on or before the date payment is due. The
355 required method of payment may include checks, wire transfers, or other types of payment
356 specified by the United States.

357 (b) Upon execution of the Contract, the Contractor shall furnish the
358 Contracting Officer with the Contractor's taxpayer's identification number (TIN). The purpose

359 for requiring the Contractor's TIN is for collecting and reporting any delinquent amounts arising
360 out of the Contractor's relationship with the United States.

361 EXCESS CAPACITY

362 8. (a) The availability of Excess Capacity shall be determined solely by the
363 Contracting Officer. Nothing contained in this Contract shall limit or preclude the United States
364 from utilizing available capacity in the Project Facilities for the storage and conveyance of
365 Project Water pursuant to Federal law, Reclamation law or policy, and existing contract(s); or for
366 using Excess Capacity in the Project Facilities for the storage and conveyance of any other
367 supplies of Non-Project Water.

368 (b) The Contracting Officer and the Operating Non-Federal Entity shall not be
369 obligated to Store and/or Convey Non-Project Water during periods of maintenance or for other
370 operating requirements.

371 (c) If at any time the Contracting Officer determines that there will not be
372 Excess Capacity in the Project Facilities sufficient to allow the Non-Project Water to be
373 introduced into, Stored and/or Conveyed, and delivered in accordance with an approved schedule
374 submitted by the Contractor, the Contracting Officer shall so notify the Contractor in writing.
375 Within 24 hours of said notice, the Contractor shall revise its schedule accordingly.

376 (d) No provision of this Contract shall be construed in any way as a basis for
377 the Contractor to establish a priority to or a permanent right to the use of Excess Capacity in the
378 Project Facilities nor to set a precedent to obligate the United States to enter into contracts with
379 any other entities or individuals for the conveyance or storage of Non-Project Water.

380 ACREAGE LIMITATION PROVISIONS

381 9. (a) Omitted

382 RECEIPT AND DISTRIBUTION OF NON-PROJECT WATER SALE, TRANSFER, OR
383 EXCHANGE OF NON-PROJECT WATER

384 10. (a) The parties hereto acknowledge that this Contract does not grant any
385 permission or entitlement to the Contractor to extract and/or divert Non-Project Water, as
386 described on Exhibit "C", or to change the nature or place of use of its rights to said Non-Project
387 Water in any way. It is the responsibility of the Contractor to comply with all applicable
388 Federal, State, and local laws, rules and regulations, including, but not limited to, State water law
389 in relation to the Non-Project Water. It is expressly understood by the parties that the United
390 States is only providing Storage and Conveyance capacity for the Non-Project Water and does
391 not claim any interest in the acquisition or use of the Non-Project Water beyond the terms
392 specifically set forth in this Contract.

393 (b) The Contracting Officer makes no representations as to the accuracy of the
394 description or of the validity of the Contractor's rights to the Non-Project Water described in
395 Exhibit "C".

396 WATER CONSERVATION

397 11. (a) Prior to the conveyance of water provided from or conveyed through
398 federally constructed or federally financed facilities pursuant to this Contract, the Contractor's
399 South Coast Participants shall develop a water conservation plan consistent with the plans
400 required by subsection 210(b) of the Reclamation Reform Act of 1982 and 43 C.F.R. 427.1
401 (Water Conservation Rules and Regulations).

402 UNITED STATES NOT LIABLE

403 12. (a) The United States, its officers, agents and employees, including the
404 Operating Non-Federal Entity, shall not be responsible for the control, care, or distribution of the
405 Non-Project Water before it is introduced into or after it is delivered from the Project Facilities.
406 It is specifically understood by the parties hereto that the United States is only providing Storage
407 and/or Conveyance capacity for the Non-Project Water and does not claim any interest in the
408 Non-Project Water beyond the terms specifically set forth in this Contract.

409 (b) The Contractor shall indemnify and hold harmless the United States, its
410 officers, agents and employees from any loss or damage and from any liability on account of
411 personal injury, death, or property damage, or claims for personal injury, death, or property

412 damage, of any nature whatsoever arising out of any actions or omissions of the Contractor, its
413 directors, officers, agents, contractors, and employees, under this Contract, including the manner
414 or method in which the Non-Project Water identified on Exhibit "C" is introduced into the
415 Project Facilities. The Contractor further releases the United States, its officers, agents and
416 employees from every claim for injury to persons, death, or property damage, direct or indirect,
417 resulting from the Contracting Officer's determination of the quantity of Excess Capacity
418 available in the Project Facilities for Storage and/or Conveyance of the Contractor's Non-Project
419 Water, the determination pursuant to Article 3 that the Non-Project Water introduced into Project
420 Facilities must be terminated, and the elimination from Exhibit "C" of any source(s) of Non-
421 Project Water. Nothing contained in this Article shall be construed as an assumption of liability
422 by the Contractor with respect to such matters.

423 RULES, REGULATIONS, OPINIONS AND DETERMINATIONS

424 13. (a) The parties agree that the delivery of water or the use of Federal facilities
425 pursuant to this Contract is subject to Federal reclamation law, as amended and supplemented,
426 and the rules and regulations promulgated by the Secretary of the Interior under Federal
427 reclamation law.

428 (b) The Contracting Officer shall have the right to make determinations
429 necessary to administer this Contract that are consistent with the provisions of this Contract, the
430 laws of the United States and the State of California, and the rules and regulations promulgated
431 by the Secretary of the Interior. Such determinations shall be made in consultation with the
432 Contractor.

433 (c) Where the terms of this Contract provide for actions to be based upon the
434 opinion or determination of either party to this Contract, said terms shall not be construed as
435 permitting such action to be predicated upon arbitrary, capricious, or unreasonable opinions or
436 determinations. Both parties, notwithstanding any other provisions of this Contract, expressly
437 reserve the right to seek relief from and appropriate adjustment for any such arbitrary, capricious,
438 or unreasonable opinion or determination. Each opinion or determination by either party shall be

439 provided in a timely manner. Nothing in subdivision (c) of this Article 13 is intended to or shall
440 affect or alter the standard of judicial review applicable under Federal law to any opinion or
441 determination implementing a specific provision of Federal law embodied in statute or
442 regulation.

443 PROTECTION OF WATER AND AIR QUALITY

444 14. (a) Project Facilities used to make available and deliver Non-Project Water to
445 the Contractor's South Coast Participants shall be operated and maintained in the most practical
446 manner to maintain the quality of the Non-Project Water at the highest level possible as
447 determined by the Contracting Officer: Provided, That the United States does not warrant the
448 quality of the Non-Project Water delivered to the Contractor's South Coast Participants and is
449 under no obligation to furnish or construct water treatment facilities to maintain or improve the
450 quality of the Non-Project Water delivered to Contractor's South Coast Participants.

451 (b) The Contractor shall comply with all applicable water and air pollution
452 laws and regulations of the United States and the State of California; and will obtain all required
453 permits or licenses from the appropriate Federal, State, or local authorities necessary for the
454 introduction of Non-Project Water by the Contractor; and will be responsible for compliance
455 with all Federal, State, and local water quality standards applicable to surface and subsurface
456 drainage and/or discharges generated through the use of Project Facilities or Contractor facilities
457 or Non-Project Water provided by the Contractor within the Contractor's Boundaries.

458 (c) This Article 14 shall not affect or alter any legal obligations of the
459 Secretary to provide drainage or other discharge services.

460 (d) The Non-Project Water introduced into the Project Facilities shall be of
461 such quality, as determined solely by the Contracting Officer, as to not significantly degrade the
462 quality of the Project Water. If it is determined by the Contracting Officer that the quality of the
463 Non-Project Water, as identified in Exhibit "C", will significantly degrade the quality of Project
464 Water in or introduced into the Project Facilities, the Contractor shall, upon receipt of a written
465 notice from the Contracting Officer, arrange for the immediate termination of the introduction of
466 such Non-Project Water into the Project Facilities, and Exhibit "C" shall be modified
467 accordingly.

468 (e) Exhibit “D” identifies the minimum water quality standards for
469 monitoring the quality of Non-Project Water introduced by the Contractor into Project Facilities.
470 Exhibit “D” identifies the laboratories approved by the Contracting Officer that are to be used for
471 conducting water quality analyses. The Contractor is responsible for sampling and analytical
472 costs associated with evaluating quality of the Non-Project Water. Non-Project Water
473 introduced into Project Facilities for purposes of water quality testing is considered Project
474 water.

475 (f) At all times during the term of this Contract, the Contractor shall be in
476 compliance with the requirements of the then-current Quality Assurance Project Plan (Plan)
477 approved by the Contracting Officer to monitor Non-Project Water introduced into, stored in and
478 conveyed through the Project Facilities. The Plan describes the sample collection procedures,
479 water testing methods, and data review process, including quality control/quality assurance
480 protocols, to verify analytical results.

481 (g) The Contracting Officer reserves the right to require additional analyses to
482 ensure the Non-Project Water meets the Bureau of Reclamation’s water quality acceptance
483 criteria.

484 CHARGES FOR DELINQUENT PAYMENTS

485 15. (a) The Contractor shall be subject to interest, administrative, and penalty
486 charges on delinquent payments. If a payment is not received by the due date, the Contractor
487 shall pay an interest charge on the delinquent payment for each day the payment is delinquent
488 beyond the due date. If a payment becomes 60 days delinquent, the Contractor shall pay, in
489 addition to the interest charge, an administrative charge to cover additional costs of billing and
490 processing the delinquent payment. If a payment is delinquent 90 days or more, the Contractor
491 shall pay in addition to the interest and administrative charges, a penalty charge for each day the
492 payment is delinquent beyond the due date, based on the remaining balance of the payment due
493 at the rate of 6 percent per year. The Contractor shall also pay any fees incurred for debt
494 collection services associated with a delinquent payment.

495 (b) The interest charge rate shall be the greater of either the rate prescribed
496 quarterly in the Federal Register by the Department of the Treasury for application to overdue
497 payments or the interest rate of 0.5 percent per month. The interest charge rate will be
498 determined as of the due date and remain fixed for the duration of the delinquent period.

499 (c) When a partial payment on a delinquent account is received, the amount
500 received shall be applied first to the penalty charges, second to the administrative charges, third
501 to the accrued interest, and finally to the overdue payment.

502 EQUAL EMPLOYMENT OPPORTUNITY

503 The following language is required by Executive Order No. 11246 of September 24, 1965, in all
504 government contracts unless and until it is superseded or amended.

505 16. During the performance of this Contract, the Contractor agrees as follows:

506 (a) The Contractor will not discriminate against any employee or applicant for
507 employment because of race, color, religion, sex, sexual orientation, gender identity, or national
508 origin. The Contractor will take affirmative action to ensure that applicants are employed, and
509 that employees are treated during employment, without regard to their race, color, religion, sex,
510 sexual orientation, gender identity, or national origin. Such action shall include, but not be
511 limited to the following: employment, upgrading, demotion, or transfer; recruitment or
512 recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and
513 selection for training, including apprenticeship. The Contractor agrees to post in conspicuous
514 places, available to employees and applicants for employment, notices to be provided by the
515 Contracting Officer setting forth the provisions of this nondiscrimination clause.

516 (b) The Contractor will, in all solicitations or advertisements for employees
517 placed by or on behalf of the Contractor, state that all qualified applicants will receive
518 consideration for employment without regard to race, color, religion, sex, sexual orientation,
519 gender identity, or national origin.

520 (c) The Contractor will not discharge or in any other manner discriminate
521 against any employee or applicant for employment because such employee or applicant has
522 inquired about, discussed, or disclosed the compensation of the employee or applicant or another
523 employee or applicant. This provision shall not apply to instances in which an employee who has
524 access to the compensation information of other employees or applicants as a part of such
525 employee's essential job functions discloses the compensation of such other employees or
526 applicants to individuals who do not otherwise have access to such information, unless such
527 disclosure is in response to a formal complaint or charge, in furtherance of an investigation,
528 proceeding, hearing, or action, including an investigation conducted by the employer, or is
529 consistent with the contractor's legal duty to furnish information.

530 (d) The Contractor will send to each labor union or representative of workers
531 with which it has a collective bargaining agreement or other contract or understanding, a notice,
532 to be provided by the Contracting Officer, advising the labor union or workers' representative of
533 the Contractor's commitments under Section 202 of Executive Order 11246 of September 24,

534 1965, and shall post copies of the notice in conspicuous places available to employees and
535 applicants for employment.

536 (e) The Contractor will comply with all provisions of Executive Order No.
537 11246 of Sept. 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of
538 Labor.

539 (f) The Contractor will furnish all information and reports required by
540 Executive Order No. 11246 of September 24, 1965, and by the rules, regulations, and orders of
541 the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and
542 accounts by the Contracting Agency and the Secretary of Labor for purposes of investigation to
543 ascertain compliance with such rules, regulations, and orders.

544 (g) In the event of the Contractor's noncompliance with the nondiscrimination
545 clauses of this Contract or with any of such rules, regulations, or orders, this Contract may be
546 canceled, terminated or suspended in whole or in part and the Contractor may be declared
547 ineligible for further Government contracts in accordance with procedures authorized in
548 Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and
549 remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule,
550 regulation, or order of the Secretary of Labor, or as otherwise provided by law.

551 (h) The Contractor will include the provisions of paragraphs (a) through (h) in
552 every subcontract or purchase order unless exempted by the rules, regulations, or orders of the
553 Secretary of Labor issued pursuant to Section 204 of Executive Order 11246 of September 24,
554 1965, so that such provisions will be binding upon each subcontractor or vendor. The Contractor
555 will take such action with respect to any subcontract or purchase order as may be directed by the
556 Secretary of Labor as a means of enforcing such provisions, including sanctions for
557 noncompliance: *Provided*, however, That in the event the Contractor becomes involved in, or is
558 threatened with, litigation with a subcontractor or vendor as a result of such direction, the
559 Contractor may request the United States to enter into such litigation to protect the interests of
560 the United States.

561 CERTIFICATION OF NONSEGREGATED FACILITIES

562 17. The Contractor hereby certifies that it does not maintain or provide for its
563 employees any segregated facilities at any of its establishments and that it does not permit its
564 employees to perform their services at any location under its control where segregated facilities
565 are maintained. It certifies further that it will not maintain or provide for its employees any
566 segregated facilities at any of its establishments and that it will not permit its employees to
567 perform their services at any location under its control where segregated facilities are
568 maintained. The Contractor agrees that a breach of this certification is a violation of the Equal
569 Employment Opportunity clause in this Contract. As used in this certification, the term
570 "segregated facilities" means any waiting rooms, work areas, rest rooms and wash rooms,
571 restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas,
572 parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing
573 facilities provided for employees which are segregated by explicit directive or are in fact

574 segregated on the basis of race, creed, color, or national origin, because of habit, local custom,
575 disability, or otherwise. The Contractor further agrees that (except where it has obtained
576 identical certifications from proposed subcontractors for specific time periods) it will obtain
577 identical certifications from proposed subcontractors prior to the award of subcontracts
578 exceeding \$10,000 which are not exempt from the provisions of the Equal Employment
579 Opportunity clause; that it will retain such certifications in its files; and that it will forward the
580 following notice to such proposed subcontractors (except where the proposed subcontractors
581 have submitted identical certifications for specific time periods):

582 NOTICE TO PROSPECTIVE SUBCONTRACTORS OF REQUIREMENT FOR
583 CERTIFICATIONS OF NONSEGREGATED FACILITIES

584 A Certification of Nonsegregated Facilities must be submitted prior to the award
585 of a subcontract exceeding \$10,000 which is not exempt from the provisions of
586 the Equal Employment Opportunity clause. The certification may be submitted
587 either for each subcontract or for all subcontracts during a period (i.e., quarterly,
588 semiannually, or annually). Note: The penalty for making false statements in
589 offers is prescribed in 18 U.S.C. 1001.

590 COMPLIANCE WITH CIVIL RIGHTS LAWS AND REGULATIONS

591 18. (a) The Contractor shall comply with Title VI of the Civil Rights Act of 1964
592 (Pub. L. 88-352; 42 U.S.C. § 2000d), the Rehabilitation Act of 1973 (Pub. L. 93-112, Title V, as
593 amended; 29 U.S.C. § 791, et seq.), the Age Discrimination Act of 1975 (Pub. L. 94-135,
594 Title III; 42 U.S.C. § 6101, et seq.), [Title II of the Americans with Disabilities Act of 1990
595 (Pub. L. 101-336; 42 U.S.C. § 12131, et seq.),] and any other applicable civil rights laws, and
596 with the applicable implementing regulations and any guidelines imposed by the U.S.
597 Department of the Interior and/or Bureau of Reclamation.

598 (b) These statutes prohibit any person in the United States from being
599 excluded from participation in, being denied the benefits of, or being otherwise subjected to
600 discrimination under any program or activity receiving financial assistance from the Bureau of
601 Reclamation on the grounds of race, color, national origin, disability, or age. By executing this
602 contract, the Contractor agrees to immediately take any measures necessary to implement this
603 obligation, including permitting officials of the United States to inspect premises, programs, and
604 documents.

605 (c) The Contractor makes this agreement in consideration of and for the
606 purpose of obtaining any and all Federal grants, loans, contracts, property discounts, or other
607 Federal financial assistance extended after the date hereof to the Contractor by the Bureau of
608 Reclamation, including installment payments after such date on account of arrangements for
609 Federal financial assistance which were approved before such date. The Contractor recognizes
610 and agrees that such Federal assistance will be extended in reliance on the representations and
611 agreements made in this Article and that the United States reserves the right to seek judicial
612 enforcement thereof.

613 (d) Complaints of discrimination against the Contractor shall be investigated
614 by the Contracting Officer's Office of Civil Rights.

615 GENERAL OBLIGATION – BENEFITS CONDITIONED UPON PAYMENT

616 19. (a) The obligation of the Contractor to pay the United States as provided in
617 this Contract is a general obligation of the Contractor notwithstanding the manner in which the
618 obligation may be distributed among the Contractor's water users and notwithstanding the
619 default of individual water users in their obligation to the Contractor.

620 (b) The payment of charges becoming due pursuant to this Contract is a
621 condition precedent to receiving benefits under this Contract. The United States shall not make
622 Non-Project Water available to the Contractor's South Coast Participants through Project
623 Facilities during any period in which the Contractor is in arrears in the advance payment of Rates
624 and charges due the United States. The Contractor shall not deliver Non-Project Water under the
625 terms and conditions of this Contract for lands or parties that are in arrears in the advance
626 payment of rates and charges as levied or established by the Contractor.

627 BOOKS, RECORDS, AND REPORTS

628 20. (a) The Contractor shall establish and maintain accounts and other books and
629 records pertaining to administration of the terms and conditions of this Contract, including the
630 Contractor's financial transactions; water supply data; Project operation, maintenance, and
631 replacement logs; Project land and rights-of-way use agreements; the water users' land-use (crop
632 census), land-ownership, land-leasing, and water-use data; and other matters that the Contracting
633 Officer may require. Reports shall be furnished to the Contracting Officer in such form and on
634 such date or dates as the Contracting Officer may require. Subject to applicable Federal laws
635 and regulations, each party to this contract shall have the right during office hours to examine
636 and make copies of the other party's books and records relating to matters covered by this
637 contract.

638 (b) Nothing in this Article 20 shall be construed to limit or constrain the
639 ability of the Bureau of Reclamation to conduct contract compliance reviews of this Contract in
640 accordance with Reclamation Manual Directives and Standards PEC 05-08, last revised October
641 11, 2019, as may be further revised, amended, modified, or superseded.

642 CONTINGENT UPON APPROPRIATION OR ALLOTMENT OF FUNDS

643 21. The expenditure or advance of any money or the performance of any obligation of
644 the United States under this contract shall be contingent upon appropriation or allotment of
645 funds. Absence of appropriation or allotment of funds shall not relieve the Contractor from any
646 obligations under this contract. No liability shall accrue to the United States in case funds are
647 not appropriated or allotted.

648 ASSIGNMENT LIMITED – SUCCESSORS AND ASSIGNS OBLIGATED

649 22. The provisions of this Contract shall apply to and bind the successors and assigns
650 of the parties hereto, but no assignment or transfer of this Contract or any right or interest therein
651 by either party shall be valid until approved in writing by the other party.

652 OFFICIALS NOT TO BENEFIT

653 23. No Member of or Delegate to the Congress, Resident Commissioner, or official of
654 the Contractor shall benefit from this Contract other than as a water user or landowner in the
655 same manner as other water users or landowners.

656 CHANGES IN CONTRACTORS ORGANIZATION

657 24. While this Contract is in effect, no change may be made in the Contractor's
658 organization, by inclusion or exclusion of lands or by any other changes which may affect the
659 respective rights, obligations, privileges, and duties of either the United States or the Contractor
660 under this Contract including, but not limited to, dissolution, consolidation, or merger, except
661 upon the Contracting Officer's written consent.

662 NOTICES

663 25. Any notice, demand, or request authorized or required by this Contract shall be
664 deemed to have been given, on behalf of the Contractor, when mailed, postage prepaid, or
665 delivered to Bureau of Reclamation, Area Manager, South-Central California Area Office, 1243
666 N Street, Fresno, California 93721, and on behalf of the United States, when mailed, postage
667 prepaid, or delivered to Central Coast Water Authority, 255 Industrial Way, Buellton, CA 93427.
668 The designation of the addressee or the address may be changed by notice given in the same
669 manner as provided in this Article for other notices.

670 INCORPORATION OF EXHIBITS

671 26. Exhibits "A" through "D" are attached hereto and incorporated herein by
672 reference.

673 CONTRACT DRAFTING CONSIDERATIONS

674 27. This Contract has been negotiated and reviewed by the parties hereto, each of
675 whom is sophisticated in the matters to which this Contract pertains. The double-spaced articles
676 of this Contract have been drafted, negotiated, and reviewed by the parties, and no one party
677 shall be considered to have drafted the stated articles.

678 IN WITNESS WHEREOF, the parties hereto have executed this Contract as of
679 the day and year first above written.

680 UNITED STATES OF AMERICA

681 By: _____
682 Area Manager
683 South-Central California Area Office
684 Interior Region 10: California-Great Basin
685 Bureau of Reclamation

686 CENTRAL COAST WATER AUTHORITY
687 (SEAL)

688 By: _____
689 President of the Board of Directors
690 Attest:

691 By: _____
692 Secretary of the Board of Directors

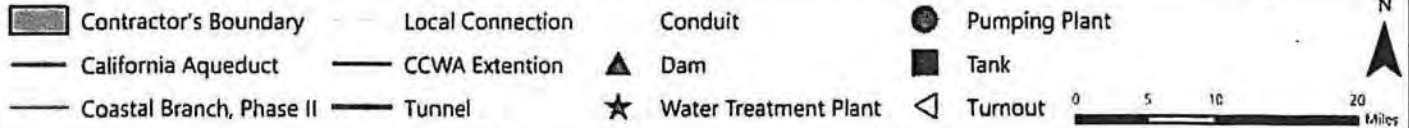
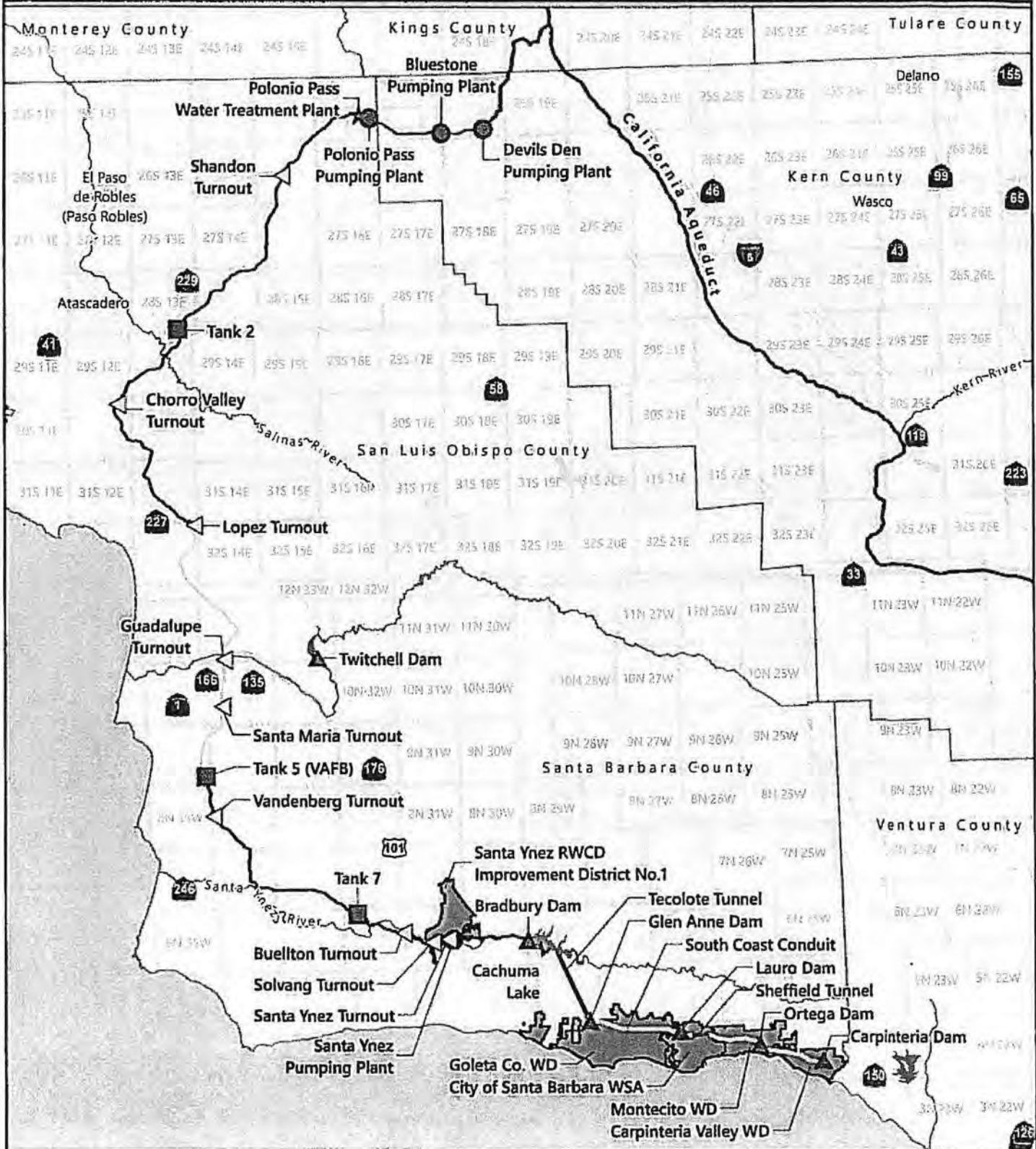


EXHIBIT B

CENTRAL COAST WATER AUTHORITY
 YEAR 2022¹
 (Per Acre-Foot)

O&M Cost Component	Water
Water Marketing	\$29.75
Storage	\$62.59
XO&M	\$3.05
Conveyance	\$0.00
O&M Sub-Total	\$95.39
Capital Component	\$0.00
Deficit Rate	\$0.00
Total Water Rate:	\$95.39

EXPLANATORY NOTES:

1. Exhibit "B" Period coverage begins on 07/01/2022 to 09/30/2022. Exhibit "B" is adjusted annually beginning on October 1st of each year.

Directives and Standards PEC 05-10 and PEC 05-11 refer to the following link:
<https://www.usbr.gov/recman/DandS.html>

EXHIBIT C

SOURCE(S) OF CONTRACTOR'S
NON-PROJECT WATER

SOURCE: "Non-Project Water" means water not appropriated by the United States for the Project which is acquired by or available to the Contractor from or through the State Water Project from the following sources:

State Water Project water acquired by or available to the Contractor from the State Water Project, including but not limited to State Water Project water previously stored in a surface water reservoir or groundwater bank; and water from sources other than the State Water Project, including but not limited to the Sacramento River watershed and the San Joaquin-Sacramento Delta, acquired by or available to the Contractor and conveyed to the Contractor through the State Water Project, which conveyance requires the approval of DWR pursuant to the Water Supply Contract.

POINTS OF INTRODUCTION AND DELIVERY: Non-Project water introduced into Lake Cachuma shall be measured and recorded at the Santa Ynez Pumping Plant. Non-Project water diverted from Lake Cachuma shall be measured and recorded at the Tecolote Tunnel and conveyed through the South Coast Conduit for delivery to the South Coast Member Units.

EXHIBIT D

WATER QUALITY STANDARDS

CCWA monitors water quality within its facilities. Prior to its introduction into Lake Cachuma, CCWA water is treated in CCWA's Polonio Pass Water Treatment Plant in San Luis Obispo County to applicable drinking water standards. This treatment process includes adding chloramine (a mix of chlorine and ammonia) to the water. From the Polonio Pass Water Treatment Plant, CCWA's water is conveyed to the Santa Ynez Pumping Facility where it is treated with sodium bisulfite to remove the chloramine before the water is conveyed to Bradbury Dam for introduction into Cachuma Project facilities.

Built-in safety systems at the Santa Ynez Pumping Facility automatically shut off the pumps if a chlorine concentration ≥ 0.05 mg/L is detected, or if residual sodium bisulfite concentrations drop to 0.1 mg/L or rise above 1 mg/L. Slightly more sodium bisulfite is added to the water than needed to completely neutralize the chlorine, which results in a small amount of unreacted sodium bisulfite left in the water (i.e. >0.1 mg/L and ≤ 1 mg/L). Based on the chemistry of the chemical reaction between sodium bisulfite and chloramine, as long as there is a detectable sodium bisulfite concentration in the water there is no free chlorine left in the water (i.e., chlorine residual is 0 mg/L)

Notice of Exemption

To: Office of Planning and Research
 Post Office Box 3044, Room 113
 Sacramento, California 95812-3044

From: Central Coast Water Authority
 255 Industrial Way
 Buellton, CA 93427

Clerk of the Board
 County of Santa Barbara
 105 E. Anapamu Street, Room 407
 Santa Barbara, CA 93101

Project Title: Temporary Warren Act Contract No. 22-WC-20-5954 between Central Coast Water Authority and United States Bureau of Reclamation

Location – Specific: United States Bureau of Reclamation’s (“Reclamation”) existing Cachuma Project facilities (i.e., Bradbury Dam and Lake Cachuma, Tecolote Tunnel, and the South Coast Conduit), the Lower Santa Ynez River below Bradbury Dam, and the service areas of Central Coast Water Authority’s South Coast Participants (Carpinteria Valley Water District, the City of Santa Barbara, Goleta Water District, Montecito Water District, La Cumbre Mutual Water Company, La Cumbre Mutual Water Company, Morehart Land Co., and Raytheon Systems Co.).

Location – County: Santa Barbara County

Description of Activity: Approval of a short-term Warren Act Contract between Central Coast Water Authority (“CCWA”) and Reclamation, Contract No. 22-WC-20-5954 (the “Temporary Warren Act Contract”). The Temporary Warren Act Contract is necessary to continue the annual introduction, storage, and conveyance of up to 13,750 acre-feet of water acquired by or available to CCWA from or through the State Water Project (“SWP”) into Cachuma Project facilities for delivery to CCWA’s South Coast Participants beyond June 2022, when CCWA’s existing 25-year Warren Act Contract (Contract No. 5-07-20-W1282) expires. The term of the Temporary Warren Act Contract will extend through September 30, 2024.

Name of Public Agency Approving or Carrying Out Activity: Central Coast Water Authority

Exempt Status:

- Ministerial
- Declared Emergency
- Emergency Project
- Categorical Exemption
- Statutory Exemption (Not a Project Under CEQA)

Reasons why activity is exempt:

CEQA Guidelines section 15301 (14 Cal. Code Regs. § 15301 [Class 1 exemption]) sets forth an exemption from CEQA for the operation and permitting of existing facilities involving negligible or no expansion of existing or former use. CEQA Guidelines section 15304 (14 Cal. Code Regs. § 15304 [Class 4 exemption]) further provides an exemption for “minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry and agricultural purposes.” The Temporary Warren Act Contract is exempt because it will continue to allow the annual introduction, storage, and conveyance of up to 13,750 acre-feet of water acquired by or available to CCWA from or through the SWP into Cachuma Project facilities for delivery to the CCWA South Coast Participants and will therefore not expand the use of Cachuma Project facilities beyond that now permitted by CCWA’s existing 25-year Warren Act Contract.

None of the exceptions to use of an exemption set forth in CEQA Guidelines section 15300.2 apply and the Temporary Warren Act Contract will not have a significant impact on the environment where it will continue to allow the annual introduction, storage, and conveyance of the same quantity of water available to CCWA from or through the SWP into Cachuma Project facilities as has been authorized for the last 25 years. Under the Temporary Warren Act Contract, CCWA water would continue to be introduced and conveyed through Cachuma Project facilities (i.e., Bradbury Dam outlet works, Stilling Basin, Lake Cachuma, North Intake of the Tecolote Tunnel, and the South Coast Conduit) to the CCWA Participants located along the South Coast Conduit. No modifications to existing infrastructure or construction would occur.

Through the Temporary Warren Act Contract, measures to avoid and minimize effects to listed species, including the Southern California Steelhead (*Oncorhynchus mykiss*) Distinct Population Segment will be implemented. Reclamation issued an Environmental Assessment (“EA”) pursuant to the National Environmental Policy Act for the Temporary Warren Act Contract on March 25, 2022, and the public comment period closed on April 22, 2022. Reclamation’s approval of the Temporary Warren Act Contract is contingent on its issuance of a Finding of No Significant Impact (“FONSI”) concluding that issuance of the Temporary Warren Act Contract would not have a significant impact on the environment. Reclamation has indicated that it will issue its FONSI after obtaining concurrence from the National Marine Fisheries Service that issuance of the Temporary Warren Act Contract would have either no effect on species listed under the Endangered Species Act, or would be not likely to adversely affect such species or their critical habitat.

As more fully described in Reclamation’s EA, over the last 25 years, CCWA has monitored and studied its operations under its existing long-term 25-year Warren Act Contract, including water quality and temperature. Through its monitoring, CCWA has not identified any information suggesting that there is a reasonable possibility that the continued conveyance of 13,750 acre-feet of water pursuant to the Temporary Warren Act Contract will have a significant effect on the environment.

Agency Contact Person: Ray Stokes

Telephone: (805) 688-2292

Signature: _____

Date: _____

Ray Stokes

Title: Executive Director, Central Coast Water Authority

Date received for filing DPR: _____



— BUREAU OF —
RECLAMATION

Central Coast Water Authority Temporary Warren Act Contract

CGB-EA-2022-023

Draft Environmental Assessment

Mission Statements

The U.S. Department of the Interior protects and manages the Nation's natural resources and cultural heritage; provides scientific and other information about those resources; and honors its trust responsibilities or special commitments to American Indians, Alaska Natives, and affiliated Island Communities.

The mission of the Bureau of Reclamation is to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public.

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1 Introduction

1.1 Background

Central Coast Water Authority (CCWA) is a California Joint Powers Agency that was formed in 1991 to construct necessary facilities to deliver supplemental water supplies from the State Water Project (SWP) to the communities in San Luis Obispo and Santa Barbara Counties. The SWP Coastal Branch facilities were completed in 1997.

In 1994, the Bureau of Reclamation (Reclamation) released an Environmental Assessment (EA) that analyzed the construction of an extension of the SWP Coastal Branch that would allow the annual introduction through issuance of a long-term Warren Act Contract¹ of SWP water into the Cachuma Project facilities for delivery to CCWA's South Coast Participants². A Finding of No significant Impact was issued on January 3, 1995.

In 1995, Reclamation issued a 25-year Warren Act contract to CCWA that allowed the annual introduction, storage, and conveyance of up to 13,750 acre-feet (AF) of water acquired by or available to CCWA from or through the SWP into Cachuma Project facilities for delivery to the South Coast Participants for municipal and industrial uses. Introductions of SWP water under the 1995 Warren Act contract began in 1997.

Prior to entering Lake Cachuma, the treated water is dechlorinated at the Santa Ynez Pumping Facility located near the town of Santa Ynez. After being delivered to Lake Cachuma, CCWA water supplies are delivered to the South Coast via the Tecolote Tunnel and the South Coast Conduit. CCWA water is delivered to the Santa Ynez River Water Conservation District Improvement District No.1 (ID No.1) directly from a connection to the SWP pipeline before it reaches the Santa Ynez Pumping Facility.

CCWA's water is treated at the Polonio Pass Water Treatment Plant in San Luis Obispo County and then dechlorinated at CCWA's Santa Ynez Pumping Facility near the town of Santa Ynez using sodium bisulfite prior to its introduction into Lake Cachuma. Built-in safety systems automatically shut off the pumps of the Santa Ynez Pumping Facility if sodium bisulfite residual levels fall below 0.1 mg/L or above 1 mg/L protecting water quality in Lake Cachuma and the Lower Santa Ynez River³.

¹ A contract that allows non-Reclamation Project water to be introduced into Reclamation facilities.

² CCWA's South Coast Participants include: Carpinteria Valley Water District, the City of Santa Barbara, Goleta Water District, Montecito Water District, La Cumbre Mutual Water, Raytheon Systems Co. and Morehart Land Co.

³ A detectable concentration of Sodium Bisulfite is needed to confirm the water has been fully dechlorinated. CCWA also monitors for chlorine concentrations and its pumping plant will shut down if chlorine concentrations are detected, a further mechanism for protecting water quality in Lake Cachuma.

1.2 Purpose and Need for the Proposed Action

CCWA water has been and continues to be a much-needed supplemental water supply for the water deficient South Coast especially during drought conditions. As the existing Warren Act Contract expires in June 2022, CCWA has requested a new short-term Warren Act Contract to continue the introductions, conveyance, and storage of non-Reclamation Project water into Cachuma Project facilities for delivery to the CCWA's South Coast Participants. Reclamation and CCWA are in the process of negotiating a new long-term Warren Act Contract. In addition, Reclamation is currently in re-consultation with the National Marine Fisheries Service (NMFS) under the Endangered Species Act (ESA) regarding operation and maintenance of the Cachuma Project. As negotiations for the long-term Warren Act contract and re-consultation on the Cachuma Project are not anticipated to be complete by June 2022, CCWA and Reclamation need to enter into a short-term contract to allow the continued delivery of a much-needed water supply to the South Coast Participants.

2 Alternatives Including Proposed Action

2.1 No Action Alternative

Under the No Action Alternative Reclamation would not issue short-term Warren Act Contract(s) to CCWA for the annual introduction, conveyance, and storage of up to 13,750 AF of CCWA water within Cachuma Project facilities.

2.2 Proposed Action

Reclamation proposes to issue short-term (up to five-years) Warren Act Contract(s) to CCWA that would allow the annual introduction, conveyance, and storage of up to 13,750 AF of CCWA's water within Cachuma Project facilities.

CCWA water includes SWP water from the Sacramento River watershed, previously banked SWP water, and other non-SWP water supplies acquired from the Sacramento River watershed, the San Joaquin River watershed, and the San Joaquin-Sacramento Delta. CCWA's acquired non-SWP water supplies can include groundwater pumping, groundwater substitution, land fallowing, or other transfers and exchanges that are common in Reclamation's Central Valley Project and the SWP. The conveyance of non-SWP water supplies through the SWP are reviewed and approved independently by the California Department of Water Resources (DWR) prior to this water being conveyed in State facilities to CCWA's facilities. Prior to introduction into Cachuma Project facilities, CCWA's water will continue to be treated as done under baseline conditions.

Under the short-term Warren Act Contract(s), CCWA water would continue to be introduced and conveyed through Cachuma Project facilities (i.e., Bradbury Dam outlet works, Stilling Basin, Lake Cachuma, North Intake of the Tecolote Tunnel, and the South Coast Conduit) to the CCWA

contractors located along the South Coast Conduit. No modifications to existing infrastructure or operations or construction would be needed for the Proposed Action.

2.2.1 Introduction of CCWA Water into Cachuma Project Facilities

There are two existing mechanisms for the introduction of CCWA water into Lake Cachuma: (1) a direct connection of the CCWA pipeline to the Bradbury Dam outlet works penstock; and (2) a high-density polyethylene penstock bypass pipeline (bypass pipeline) that introduces CCWA water directly into Lake Cachuma⁴. These mechanisms would remain unchanged under the proposed action.

When releases from the outlet works occur at the same time as CCWA water is being introduced through the outlet works, CCWA water mixes with water from Lake Cachuma and is released into the Stilling Basin where it flows into the Lower Santa Ynez River. This mixing of CCWA water has certain advantages to downstream entities for enhancing water quality (i.e., reduced total dissolved solids) and the Cachuma Project Member Units⁵, Santa Ynez River Water Conservation District (SYRWCD), and the City of Lompoc entered into a Settlement Agreement in September 2002 to maximize introduction of CCWA water during their Water Rights Releases⁶ from the outlet works.

When CCWA water is released into the Stilling Basin, CCWA water is exchanged for Cachuma Project water in Lake Cachuma on a one-to-one basis.

2.2.2 CCWA Water Treatment

Prior to its introduction into Lake Cachuma, CCWA water is treated in CCWA's Polonio Pass Water Treatment Plant in San Luis Obispo County to applicable drinking water standards. This treatment process includes adding chloramine (a mix of chlorine and ammonia) to the water. From the Polonio Pass Water Treatment Plant, CCWA's water is conveyed to the Santa Ynez Pumping Facility where it is treated with sodium bisulfite to remove the chloramine before the water is conveyed to Bradbury Dam for introduction into Cachuma Project facilities.

Built-in safety systems at the Santa Ynez Pumping Facility automatically shut off the pumps if a chlorine concentration ≥ 0.05 mg/L is detected, or if residual sodium bisulfite concentrations drop to 0.1 mg/L or rise above 1 mg/L. Slightly more sodium bisulfite is added to the water than needed to completely neutralize the chlorine, which results in a small amount of unreacted sodium bisulfite left in the water (i.e. >0.1 mg/L and ≤ 1 mg/L). Based on the chemistry of the chemical reaction between sodium bisulfite and chloramine, as long as there is a detectable sodium bisulfite concentration in the water there is no free chlorine left in the water (i.e., chlorine residual is 0 mg/L).

⁴ The bypass pipeline has been routed previously in three configurations: bypass pipeline through the spillway onto the bedrock shelf (used when lake levels are low and bedrock shelf is exposed), bypass pipeline to the spillway gate threshold (used when the bedrock shelf is submerged and lake level is below the spillway gate threshold) and bypass pipeline over the top of the dam (used when lake level is above the threshold of the spillway gate).

⁵ Cachuma Project Member Units include Carpinteria Water District, City of Santa Barbara, Goleta Water District, Montecito Water District, and Santa Ynez River Water Conservation District Improvement District No. 1.

⁶ Non-discretionary Water Rights Releases have occurred since the completion of Bradbury Dam. These releases are made in accordance with State Water Resources Control Board permits 11308 and 11310 issued to Reclamation for the Cachuma Project, as conditioned by WR Order 73-37, as amended by WR Order 89-18, and WR Order 2019-0148.

Free ammonia is a byproduct of the sodium bisulfite water treatment process. A study conducted by CCWA that tracked the fate of free ammonia through the eight-mile pipeline that runs from the Santa Ynez Pumping Facility to Lake Cachuma found that only small concentrations of free ammonia reach Lake Cachuma. Samples collected at the Lake Cachuma delivery point over the 12-month study period (2016 to 2017) had free ammonia concentrations ranging from 0 mg/L to 0.14 mg/L with an average concentration of 0.04 mg/L (CCWA 2021). This represents an average removal efficiency of over 90% from the average free ammonia concentrations measured at the outlet vault of the Santa Ynez Pumping Facility.

2.2.3 Conservation Measures

Measures to avoid and minimize effects to the endangered Southern California Steelhead (*Oncorhynchus mykiss*) Distinct Population Segment (DPS) have been and will continue to be implemented during CCWA operations. Measures are primarily related to preventing steelhead from imprinting on CCWA water and preventing CCWA water from being released to Hilton Creek. When CCWA deliveries to Lake Cachuma via the outlet works coincide with releases from Lake Cachuma via the outlet works, Reclamation proposes to implement the following restrictions to minimize potential effects to steelhead:

- General restrictions on all CCWA water deliveries:
 - There is no delivery of CCWA water to Lake Cachuma during spill events;
 - CCWA water is not introduced into the penstock if the Hilton Creek Emergency Backup System (EBS) is on standby, to eliminate any possibility of CCWA water being delivered to Hilton Creek.
- Restrictions on CCWA water deliveries through the Bradbury Dam outlet works:
 - When releases from the outlet works and deliveries of CCWA water through the outlet works are simultaneously scheduled to achieve mixing, Reclamation will notify NMFS that CCWA water will be entering the Santa Ynez River;
 - There is no delivery of CCWA water to Lake Cachuma via the outlet works when the EBS is delivering water;
 - CCWA water will not be mixed into the waters of the Santa Ynez River during the months of December to June, unless flow is discontinuous in the mainstem;
 - Delivery of CCWA water to Lake Cachuma is not made during spill events;
 - Releases of CCWA water to the mainstem only occurs during water right releases from May to October, with the bulk of releases occurring July through September;
 - CCWA water will not exceed 50 percent of the total rate of releases to the Lower Santa Ynez River; and
 - When releases of CCWA water to the Lower Santa Ynez River occur, Reclamation will ensure that water is released from Lake Cachuma in such a proportion that the blended CCWA and Lake Cachuma water entering the Stilling Basin has a temperature of $\leq 18^{\circ}\text{C}$, as estimated pursuant to the Penstock Temperature Monitoring Plan (letter to Reclamation from CCWA, dated October 6, 2011).

CCWA water may be introduced to Lake Cachuma or the Lower Santa Ynez River at rates ranging up to 22 cubic feet per second (cfs), as limited by the capacity of the four pumps at CCWA's Santa Ynez Pumping Facility. Operation of the Santa Ynez Pumping Facility can be highly variable, but in general the Pumping Facility operates minimally when Lake Cachuma is full and may operate at maximum capacity for extended periods of time during drought conditions.

When Reclamation is releasing water from the outlet works at Bradbury Dam, and CCWA is delivering CCWA water to Lake Cachuma, commingled water will be released to the Lower Santa Ynez River pursuant to the restrictions noted above. When Reclamation is releasing water from the EBS, no CCWA water can be delivered via the outlet works as the EBS is plumbed into the outlet works. When the only water Reclamation is releasing to the Lower Santa Ynez River is from Hilton Creek via the lake-based Hilton Creek Watering System (HCWS), no CCWA water will be released to the Lower Santa Ynez River.

Temperature monitoring sensors and related equipment in the penstock at the Bradbury Dam outlet works and in the CCWA pipeline collect and transmit data to both CCWA and Reclamation's Supervisory Control and Data Acquisition (SCADA) System. From 2004 through present, the average temperature of CCWA's water from May through November (before entering the penstock) was 22.4°C with a low of 13.6°C and a high of 27.7°C (CCWA 2021).

The system uses a flow weighted average of lake water temperature and CCWA water temperature to calculate an estimate of the blended temperature of water releases to the Stilling Basin. Reclamation monitors the temperature of CCWA water and water in the penstock. When the temperature of blended water is approaching the 18°C-temperature limit for steelhead Reclamation will immediately reduce or suspend delivery of CCWA water or increase delivery of Cachuma Lake water until CCWA deliveries can be reduced or suspended, to avoid exceeding the 18°C-temperature limit.

3 Affected Environment and Environmental Consequences

3.1 Resources Eliminated from Further Analysis

Reclamation analyzed the affected environment and determined that the Proposed Action does not have the potential to cause adverse effects to the following resources:

3.1.1 Air Quality

There will be no impacts to air quality as there would be no change in baseline conditions.

3.1.2 Climate Change

The Proposed Action does not include construction of new facilities or modification to existing facilities that would impact greenhouse gas emissions. Pumping to deliver CCWA water to Lake Cachuma would be similar to what has been done in the past and is part of baseline conditions and would not result in emissions that would impact climate change. Cachuma Project operations and allocations are flexible, any changes in hydrologic conditions due to global climate change would be addressed within Reclamation's operational flexibility.

3.1.3 Cultural Resources

There would be no impacts to cultural resources as a result of implementing the Proposed Action as the Proposed Action would facilitate the flow of water through existing facilities to existing users. No new construction or ground disturbing activities would occur as part of the Proposed Action. Reclamation has determined that these activities have no potential to cause effects to historic properties pursuant to 36 CFR Part 800.3(a)(1).

3.1.4 Environmental Justice

Executive Order 12898 requires each federal agency to identify and address disproportionately high and adverse human health or environmental effects, including social and economic effects of its program, policies, and activities on minority populations and low-income populations. The Proposed Action would not cause dislocation, changes in employment, or increase flood, drought, or disease nor would it disproportionately impact economically disadvantaged or minority populations.

3.1.5 Indian Sacred Sites

Executive Order 13007 (May 24, 1996) requires that federal agencies accommodate access to and ceremonial use of Indian sacred sites by Indian religious practitioners and avoids adversely affecting the physical integrity of such sacred sites. The Proposed Action would not limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or affect the physical integrity of such sacred sites. There would be no impacts to Indian sacred sites as a result of the Proposed Action.

3.1.6 Indian Trust Assets

Indian Trust Assets are legal interests in assets that are held in trust by the United States for federally recognized Indian tribes or individuals. There are no Indian reservations, rancherias or allotments in the Proposed Action area. The nearest Indian Trust Asset is a public domain allotment which is about 5 miles to the south of the Proposed Action area. The Proposed Action does not have a potential to affect Indian Trust Assets.

3.2 Biological Resources

3.2.1 Affected Environment

The Proposed Action Area includes Lake Cachuma, the Lower Santa Ynez River below Bradbury Dam, conveyance facilities used to deliver CCWA water (i.e., Tecolote Tunnel, South Coast Conduit), and the South Coast Participant service areas where CCWA water would ultimately be delivered.

On March 18, 2022, Reclamation obtained an official species list from the United States Fish and Wildlife Service (Service) via the Service's website, <http://ecos.fws.gov/ipac>, (Project Code: 2022-0021550). On March 18, 2022, Reclamation also obtained a species list from NMFS using the species list tool from the now unavailable National Oceanic and Atmospheric Administration's West Coast Region website, https://archive.fisheries.noaa.gov/wcr/maps_data/california_species_list_tools.html. The species lists cover the Proposed Action Area described above. The California Department of Fish and Wildlife's California Natural Diversity Database (CNDDDB) was also queried for records of protected

species within the vicinity of the Proposed Action area (CNDDDB 2022). The species lists and the best available data were combined to determine the likelihood of protected species occurrence within the Proposed Action Area (Table 1).

Table 1. Federally Listed Threatened and Endangered Species

Species	Status ¹	Effects ²	Potential to occur and summary basis for ESA determination ³
Amphibians			
Arroyo Toad <i>Anaxyrus californicus</i>	E, X	NE	Absent. This species and designated critical habitat for this species do not occur within the Proposed Action Area. There would be <i>No Effect</i> to this species from the Proposed Action.
California red-legged frog <i>Rana draytonii</i>	T, X	NE	Present. There are CNDDDB records of this species in the Lower Santa Ynez River, and within portions of the CCWA South Coast Participants' service area. Designated critical habitat for this species is not present within the Proposed Action Area. The Proposed Action does not involve any construction, land use changes, or conversion of suitable habitat. The Proposed Project would not alter the amount of water released to the Lower Santa Ynez River, and releases of CCWA's Warren Act water would be subject to temperature and water quality requirements. There would be <i>No Effect</i> to this species from the Proposed Action.
California tiger salamander <i>Ambystoma californiense</i>	T, X	NE	Absent. This species and designated critical habitat for this species do not occur within the Proposed Action Area. There would be <i>No Effect</i> to this species from the Proposed Action.
Birds			
California condor <i>Gymnogyps californianus</i>	E, X	NE	Possible. This species may forage in portions of the Proposed Action Area. Designated critical habitat for this species does not occur within the Proposed Action Area. The Proposed Action would not involve any construction, land use changes, or conversion of suitable habitat. There would be <i>No Effect</i> to this species from the Proposed Action.
California least tern <i>Sterna antillarum browni</i>	E	NE	Present. There are CNDDDB records of this species near the Lower Santa Ynez River estuary. The Proposed Action would not alter the amount of water released to the Lower Santa Ynez River, and would therefore have no effect on estuarine habitat. There would be <i>No Effect</i> to this species from the Proposed Action.
Least Bell's vireo <i>Vireo bellii pusillus</i>	E, X	NE	Present. There is a CNDDDB record of this species in riparian habitat along the Lower Santa Ynez River. Designated critical habitat for this species does not occur within the Proposed Action Area. The Proposed Action would not alter the amount of water released to the Lower Santa Ynez River, and would therefore have no effect on this species habitat. There would be <i>No Effect</i> to this species from the Proposed Action.
Light-footed clapper rail	E	NE	Present. There are CNDDDB records of this species in portions of the CCWA South Coast Participants' service area. The

Species	Status ¹	Effects ²	Potential to occur and summary basis for ESA determination ³
<i>Rallus longirostris</i>			Proposed Action would not involve any construction, land use changes, or conversion of suitable habitat. There would be <i>No Effect</i> to this species from the Proposed Action.
Marbled murrelet <i>Brachyramphus marmoratus</i>	T, X	NE	Absent. This species and designated critical habitat for this species do not occur within the Proposed Action Area. There would be <i>No Effect</i> to this species from the Proposed Action.
Short-tailed Albatross <i>Phoebastria (=Diomedea) albatrus</i>	E	NE	Absent. This species does not occur within the Proposed Action Area. There would be <i>No Effect</i> to this species from the Proposed Action.
Southwestern willow flycatcher <i>Empidonax traillii extimus</i>	E, X	NE	Present. There are CNDDDB records of this species along the Lower Santa Ynez River and designated critical habitat for this species is present along the Lower Santa Ynez River. The Proposed Action would not alter the amount of water released to the Lower Santa Ynez River. There would be <i>No Effect</i> to this species or its critical habitat from the Proposed Action.
Western snowy plover <i>Charadrius nivosus nivosus</i>	T, X	NE	Present. There are CNDDDB records of this species near the Lower Santa Ynez River estuary and within portions of the CCWA South Coast Participants' service area. Designated critical habitat for this species is present within one CCWA South Coast Participants' service areas. The Proposed Action would not alter the amount of water released to the Lower Santa Ynez River and would not involve any construction, land use changes, or conversion of suitable habitat. There would be <i>No Effect</i> to this species from the Proposed Action.
Crustaceans			
Riverside fairy shrimp <i>Streptocephalus woott</i>	E, X	NE	Absent. This species and designated critical habitat for this species do not occur within the Proposed Action Area. There would be <i>No Effect</i> to this species from the Proposed Action.
Vernal pool fairy shrimp <i>Branchinecta lynchi</i>	T, X	NE	Possible. There are no records of this species within the Proposed Action Area; however, designated critical habitat for this species occurs within one of the CCWA South Coast Participants' service areas. The Proposed Action would not involve any construction, land use changes, or conversion of suitable habitat. The Proposed Action would have <i>No Effect</i> to this species or its designated critical habitat.
Fish			
Tidewater goby <i>Eucyclogobius newberryi</i>	E, X	NE	Present. This species is present in the Lower Santa Ynez River estuary, and in estuaries of streams within the CCWA South Coast Participants' service areas on the South Coast. Designated critical habitat for this species is present in the estuaries of some streams on the South Coast. The Proposed Action would not alter the amount of water released to the

Species	Status ¹	Effects ²	Potential to occur and summary basis for ESA determination ³
			Lower Santa Ynez River. Furthermore, any SWP Water released to the Lower Santa Ynez River would be subject to water quality and temperature requirements. The Proposed Action does not involve any release of water to streams on the South Coast. The Proposed Action would have <i>No Effect</i> to this species or its designated critical habitat.
Southern California steelhead Distinct Population Segment (DPS) <i>Oncorhynchus mykiss</i>	E, X	NLAA	Present. This species, and designated critical habitat for this species, are present within the Lower Santa Ynez River and in streams within the CCWA South Coast Participants' service areas on the South Coast. The Proposed Action would not alter the amount of water released to the Lower Santa Ynez River. The requirements described in Section 2.2 for introduction of this water would be implemented to avoid potential negative effects to water quality or the imprinting of juvenile <i>Oncorhynchus mykiss</i> . The Proposed Action does not involve any release of water to streams on the South Coast. With the implementation of these requirements, the Proposed Action is <i>Not Likely to Adversely Affect</i> the Southern California steelhead DPS or designated critical habitat for this species.
Insects			
Monarch Butterfly <i>Danaus plexippus</i>	C	NE	Possible. There are records of this species adjacent to the Santa Ynez River near the estuary. The Proposed Action would not involve any construction, land use changes, or conversion of suitable habitat. The Proposed Action would have <i>No Effect</i> to this species.
Mammals			
Southern sea otter <i>Enhydra lutris nereis</i>	T, MMPA	NE	Absent. This species does not occur within the Proposed Action Area. There would be <i>No Effect</i> to this species from the Proposed Action.
Plants			
Beach Layia <i>Layia carnosa</i>	E	NE	Absent. This species does not occur within the Proposed Action Area. There would be <i>No Effect</i> to this species from the Proposed Action.
California Orcutt grass <i>Orcuttia californica</i>	E	NE	Absent. This species does not occur within the Proposed Action Area. There would be <i>No Effect</i> to this species from the Proposed Action.
Contra Costa goldfields <i>Lasthenia conjugens</i>	E, X	NE	Absent. This species and designated critical habitat for this species do not occur within the Proposed Action Area. There would be <i>No Effect</i> to this species from the Proposed Action.
Gambel's watercress <i>Rorippa gambellii</i>	E	NE	Absent. This species does not occur within the Proposed Action Area. There would be <i>No Effect</i> to this species from the Proposed Action.

Species	Status ¹	Effects ²	Potential to occur and summary basis for ESA determination ³
Gaviota tarplant <i>Deinandra increscens</i> ssp. <i>villosa</i>	E, X	NE	Absent. This species and designated critical habitat for this species do not occur within the Proposed Action Area. There would be <i>No Effect</i> to this species from the Proposed Action.
La Graciosa thistle <i>Cirsium loncholepis</i>	E, X	NE	Absent. This species and designated critical habitat for this species do not occur within the Proposed Action Area. There would be <i>No Effect</i> to this species from the Proposed Action.
Lompoc yerba santa <i>Eriodictyon capitatum</i>	E, X	NE	Absent. This species and designated critical habitat for this species do not occur within the Proposed Action Area. There would be <i>No Effect</i> to this species from the Proposed Action.
Marsh sandwort <i>Arenaria paludicola</i>	E	NE	Absent. This species does not occur within the Proposed Action Area. There would be <i>No Effect</i> to this species from the Proposed Action.
Salt marsh bird's- beak <i>Cordylanthus maritimus</i> ssp. <i>maritimus</i>	E	NE	Present. There are records of this species within one of the CCWA South Coast Participants' service areas on the South Coast. The Proposed Action would not involve any construction, land use changes, or conversion of suitable habitat. There would be <i>No Effect</i> to this species from the Proposed Action.
Spreading Navarretia <i>Navarretia fossalis</i>	T, X	NE	Absent. This species and designated critical habitat for this species do not occur within the Proposed Action Area. There would be <i>No Effect</i> to this species from the Proposed Action.
Vandenberg monkeyflower <i>Diplacus vandenbergensis</i>	E, X	NE	Absent. This species may be present adjacent to the Lower Santa Ynez River, but does not occur within the Proposed Action Area. There would be <i>No Effect</i> to this species or its designated Critical Habitat from the Proposed Action.
Ventura marsh milk-vetch <i>Astragalus pycnostachyus</i> var. <i>lanosissimus</i>	E, X	NE	Possible. There are no records of this species within the Proposed Action Area; however, designated critical habitat for this species occurs within one of the CCWA South Coast Participants' service areas. The Proposed Action would not involve any construction, land use changes, or conversion of suitable habitat. The Proposed Action would have <i>No Effect</i> to this species or its designated critical habitat.

¹ Status = Status of federally protected species protected under the ESA

E: Listed as Endangered

T: Listed as Threatened

C: Candidate for listing

X: Critical Habitat designated for this species

MMPA: Species protected under the Marine Mammal Protection Act

² Effects = ESA Effect determination

NE: No Effect anticipated from the Proposed Action to federally listed species or designated critical habitat

NLAA: The Proposed Action is Not Likely to Adversely Affect federally listed species or designated critical habitat

³ Definition of Occurrence Indicators

Present: Species recorded in area and suitable habitat present
Possible: Species recorded in area and habitat suboptimal
Absent: Species not recorded in study area and suitable habitat absent

3.2.2 Environmental Consequences

3.2.2.1 No Action

Under the No Action Alternative, Reclamation would not allow CCWA to introduce, store and convey up to 13,750 acre-feet of CCWA water in Cachuma Project facilities. The amount of water released to the Lower Santa Ynez River would not change from current baseline conditions (when CCWA's 1995 Warren Act Contract was implemented); however, upon expiration of the existing Warren Act Contract, only Santa Ynez River water from Lake Cachuma would be released from the dam. There would be *No Effect* to proposed or listed species or Critical Habitat, and no take of migratory birds.

3.2.2.2 Proposed Action

Under the Proposed Action, CCWA would continue to introduce, store and convey CCWA water in Cachuma Project facilities. The amount of water released to the Lower Santa Ynez River below Bradbury Dam would not change as releases of this water to the river are subject to the requirements described in Section 2.2. The Proposed Action would not result in any changes in the operation of the Cachuma Project. The Proposed Action would not involve any construction, land use changes, or conversion of habitat that may be suitable for listed species. The Proposed Action does not involve the release of any water to streams on the South Coast.

As noted in Section 1, CCWA's water is treated at the Polonio Pass Water Treatment Plant in San Luis Obispo County and then dechlorinated at CCWA's Santa Ynez Pumping Facility using sodium bisulfite prior to its introduction into Lake Cachuma. Built-in safety systems automatically shut off the pumps of the Santa Ynez Pumping Facility if chlorine is detected (≥ 0.05 mg/L) or if the sodium bisulfite concentration falls below 0.1 mg/L or rises above 1 mg/L, which prevents treated water from reaching Cachuma Project facilities or the Lower Santa Ynez River. Based on the chemistry of the chemical reaction between sodium bisulfite and chloramine, as long as there is a detectable sodium bisulfite concentration in the water there is no free chlorine left in the water (i.e., chlorine residual is 0 mg/L).

Although sodium bisulfite in higher concentrations (i.e. ≥ 39 mg/L) can deplete dissolved oxygen levels in water resulting in fish mortality, it is non-toxic to aquatic life at lower concentrations (Basu & Dorner, 2010). CCWA water enters Cachuma Project facilities with a residual sodium bisulfite concentration of ≥ 0.1 mg/L and < 1 mg/L, which is considered non-toxic; this residual concentration of sodium bisulfite is further reduced as CCWA water is diluted at least 50 percent with Cachuma Project water.

Ammonia is also a byproduct of the sodium bisulfite treatment process. In higher concentrations, ammonia can be toxic to fish and other aquatic life; however, the small amount of ammonia remaining in CCWA's water (0.00 mg/L to 0.14 mg/L) falls well below the Environmental

Protection Agency's (EPA) current ammonia water quality criteria for the protection of aquatic life⁷ (EPA, 2013). Furthermore, CCWA's water is diluted by at least 50% with Cachuma Project water which would further reduce ammonia concentrations before this water reaches the Lower Santa Ynez River.

In accordance with the 2000 biological opinion for the operation and maintenance of the Cachuma Project (NMFS, 2000), CCWA water has been and would continue to be blended with Cachuma Project water in the proportion needed to meet the temperature requirement of 18°C or less prior to introduction into the Stilling Basin/Lower Santa Ynez River. This is confirmed through SCADA monitoring within the SWP facilities that convey CCWA's water as well as by Reclamation and COMB at Bradbury Dam. Therefore, the introduction of CCWA water into the Lower Santa Ynez River is not expected to have any negative effects on water quality in the river that could affect biological resources.

Under the Proposed Action, CCWA water would occasionally be released into the Lower Santa Ynez River where Southern California steelhead and its designated critical habitat are present. Before downstream migration to the ocean, juvenile *O. mykiss* imprint on chemical odors in their natal streams during smoltification, which later guide their upstream homing migration as adults (Dittman et al., 1995; Nevitt & Dittman, 1999). In the Lower Santa Ynez River, smolts may migrate downstream from November through June, with peak outmigration occurring from March through May. To minimize potential negative effects from the introduction of CCWA water on olfactory imprinting of juvenile *O. mykiss*, Reclamation would continue to implement mixing criteria so that no more than 50 percent of the total water being released below the dam is CCWA water. Further, releases of CCWA water to the river would only occur during 89-18 Water Rights Releases from May through October, with a majority of releases occurring July through September, when juvenile *O. mykiss* are unlikely to be undergoing olfactory imprinting.

A majority of releases would be conducted during the summer months when juvenile outmigration and olfactory imprinting are not occurring. Juvenile *O. mykiss* may undergo olfactory imprinting in May and June; however, because CCWA water is only released to the Lower Santa Ynez River during 89-18 Water Rights Releases, which typically are made in dry years when the river is not connected to the ocean, and because there is a requirement that the river must be discontinuous in the mainstem to release CCWA water to the river in May and June, *O. mykiss* are not expected to be outmigrating and/or undergoing olfactory imprinting when CCWA water is released to the Lower Santa Ynez River.

The 2000 biological opinion for the operation and maintenance of the Cachuma Project concluded that potential effects from CCWA's water deliveries and releases on Southern California steelhead were expected to be minimal and that the risk of incorrect imprinting from the release of CCWA water into the Lower Santa Ynez River was remote (NMFS, 2000). The Proposed Action would have no new or additional effects beyond those analyzed in the 2000 biological opinion.

With the Conservation Measures listed in 2.2.3, Reclamation has determined that the Proposed Action is *Not Likely to Adversely Affect* the endangered Southern California steelhead DPS or

⁷ The EPA's *Freshwater Ammonia Aquatic Life Ambient Water Quality Criteria* are: Acute 1-hour average of 17 mg/L total ammonia and a chronic 30-day rolling average⁷ of 1.9 mg/L total ammonia at a pH of 7.0 and a temperature of 20°C (EPA, 2013).

designated critical habitat for this species. As described in Table 1, Reclamation has determined that the Proposed Action would have *No Effect* to any other proposed or listed species or critical habitat under the Endangered Species Act of 1973, as amended (16 U.S.C. §1531 et seq.), and would not result in take of birds protected under the Migratory Bird Treaty Act (16 U.S.C. §703 et seq.).

3.3 Water Resources

3.3.1 Affected Environment

The affected environment is located in Santa Barbara County, California and includes Cachuma Project facilities (i.e., Bradbury Dam and Lake Cachuma, Tecolote Tunnel, and the South Coast Conduit), the Lower Santa Ynez River below Bradbury Dam, and the service areas on the South Coast where CCWA water would ultimately be delivered.

3.3.1.1 Cachuma Project

The Cachuma Project consists of Bradbury Dam, Lake Cachuma, the Tecolote Tunnel, the South Coast Conduit, four regulating reservoirs (Glen Anne Reservoir, Lauro Reservoir, Ortega Reservoir, and Carpinteria Reservoir) and appurtenant facilities in Santa Barbara County. Reclamation diverts, stores, and delivers Santa Ynez River water pursuant to permits issued by the State Water Resources Control Board.

Reclamation provides up to 25,714 acre-feet/per year of Cachuma Project water to the Cachuma Project Member Units. Cachuma Project water is delivered to the South Coast Cachuma Member Units via the Tecolote Tunnel and South Coast Conduit system and is made available to ID No.1 pursuant to an exchange agreement between ID No. 1 and the South Coast Member Units.

3.3.1.2 Lower Santa Ynez River

The Lower Santa Ynez River runs for approximately 48.7 river miles between Bradbury Dam and the Pacific Ocean. Below Bradbury Dam, the river passes south of the town of Santa Ynez and then flows through the broad section of the Santa Ynez Valley, near Buellton. West of Buellton, near the City of Lompoc, the river flows through a narrow section referred to as “the Narrows” and emerges onto the broad, flat Lompoc Plain. From there the river travels approximately 13 miles, transitioning to the Santa Ynez River estuary on Vandenberg Air Force Base and then directly into the Pacific Ocean at Surf Beach.

3.3.1.3 Lake Cachuma Water Quality

Raw lake water quality is measured monthly at Lake Cachuma for key constituents related to water treatment processes. The annual average concentrations measured for specific conductivity, total dissolved solids, total organic carbon, turbidity, and sulfate concentrations for Lake Cachuma and CCWA water between 2015 and 2020 are provided in Table 2.

Table 2. CCWA Water Quality and Lake Cachuma Water Quality Annual Results

Year	Specific Conductivity (mmhos/cm)		Total Dissolved Solids (mg/L)		Total Organic Carbon (mg/L)		Turbidity (NTU)		Sulfate (mg/L)	
	CCWA	Cachuma	CCWA	Cachuma*	CCWA	Cachuma	CCWA	Cachuma	CCWA	Cachuma
2015	781	963	437	626	2.5	4.7	0.17	12.11	97	263
2016	609	1027	346	668	2.3	4.2	0.11	12.98	100	272
2017	306	825	165	536	2.0	5.7	0.18	3.74	30	110
2018	481	876	220	569	2.1	5.5	0.13	8.33	55	236
2019	403	836	260	543	1.9	4.6	0.10	3.83	46	217
2020	503	918	280	597	2.0	4.9	0.12	2.75	63	90
Average	514	908	285	590	2.1	4.9	0.14	7.29	65	198

*Specific Conductance multiplied by 0.65 conversion factor

Sources: CCWA Polonio Pass Treatment Plant Water Quality Tables 2016 to 2020 <http://www.ccwa.com/archives.html>;
City of Santa Barbara Public Works Department Water Resources Laboratory - Lake Cachuma Monthly Monitoring 2015 to 2020

3.3.1.4 SWP Water Quality

CCWA monitors water quality within CCWA’s facilities. Average annual water quality data is included in Table 2 for the past five years. Water in the CCWA system prior to delivery to Lake Cachuma had consistently lower concentrations of total dissolved solids, total organic carbon, turbidity, and sulfates than the water in Lake Cachuma.

3.3.1.5 Central Coast Water Authority

As noted previously, CCWA is a public entity that was organized to construct, operate, and maintain South Coast facilities in order to bring supplemental water supply to its member agencies. CCWA has a SWP water contract for 45,486 acre-feet per year. Between 2016 and 2020, CCWA has delivered a total of 43,187 AF to the CCWA South Coast Participants (Table 3). Since 1997, an average of approximately 2,040 AF per year has been exchanged for Cachuma Project water through the Santa Ynez Exchange Agreement, with a low of 0 AF in 2016 and a high of 3,155 AF in 2003 (CCWA 2021). The water delivered to Lake Cahuma by CCWA has been used for supplemental water supplies especially during drought years. In the most recent drought, CCWA water was the primary source of water being introduced into Lake Cachuma.

Table 3. South Coast Cachuma Member Units Total Water Supplies over the Last Five Years in Acre-Feet

Water Supply	2016	2017	2018	2019	2020
Cachuma Project	8,216	3,584	5,070	10,704	17,895
CCWA Water	14,427	12,547	13,751	1,460	1,002

3.3.2 Environmental Consequences

3.3.2.1 No Action

Under the No Action, supplemental water supplies would no longer be available to the CCWA South Coast Participants. This could cause shortages in water supplies for their customers especially

during drought years. As shown in Table 3 above, during the recent critical drought, CCWA water was crucial for the South Coast being as high as 3.5 times the amount of Cachuma Project water supplies, which occurred in 2017. Not having this water supply available would substantially negatively affect the South Coast water supply.

3.3.2.2 Proposed Action

The Proposed Action would continue to allow up to 13,750 acre-feet/year of CCWA water to continue to be introduced, stored, and conveyed through Cachuma Project facilities when excess capacity is available. The introduction, storage and conveyance of CCWA water would not increase or change operations in the Sacramento-San Joaquin River Delta. The additional water would be used by CCWA South Coast Participants to meet existing municipal and industrial demands. In general, CCWA water delivered to Lake Cachuma is used first by the CCWA South Coast Participants in order to carry over (store) their Cachuma Project water allocations for later use to better manage all available water supplies to meet existing demands. There would be no change in district boundaries or growth associated with use of this water. As shown in Table 3, this water is critical for the CCWA South Coast Participants to meet their existing demands, especially during drought years. As noted previously, there would be no modification of facilities in order to convey or deliver this water. The Proposed Action would be beneficial to water supplies within the Action area and would not adversely impact Cachuma Project operations.

As noted in Section 2.2, CCWA water would not be introduced into Lake Cachuma during spill events, i.e. when water is released from the dam to prevent overtopping. If any CCWA water is stored in Cachuma during these periods of time, this amount would be miniscule compared to water in the Lake. Any release of CCWA water from Lake Cachuma to the Lower Santa Ynez River is required to be mixed with Cachuma Project water up to 50 percent and subject to temperature and seasonal requirements as set forth in the 2000 biological opinion for Cachuma Project operations. As this water is mixed and flows over natural substrates in the river, its water chemistry is modified until it becomes indistinguishable from natural river water, and would, therefore, have no adverse impacts to water quality or beneficial uses in the Lower Santa Ynez River.

3.4 Cumulative Impacts

In the Council on Environmental Quality's (CEQ's) July 16, 2020 "Update to Regulations Implementing the Procedural Provisions of the National Environmental Policy Act" (85 FR 43304) the definition of cumulative impacts provided in 40 CFR 1508.7 was repealed. The CEQ conveyed the position that the analysis of cumulative effects, as defined in the 1978 regulations, is not required under NEPA. This regulation update does not preclude the analysis of cumulative effects, but identifies that all analyses of environmental effects, including cumulative effects, should focus on those effects that are reasonably foreseeable and have a reasonably close causal relationship to the proposed action.

Reclamation has made the determination that the effects of the Proposed Action evaluated in this EA, combined with other reasonably foreseeable projects, would not result in cumulative impacts to any of the resources described above. Cachuma Project operations would not be impacted as there would be no change from baseline conditions and the Proposed Action would be subject to all applicable environmental, operational, and regulatory requirements associated with operation of the Cachuma Project.

4 Consultation and Coordination

4.1 Agencies and Persons Consulted

Reclamation is consulting and coordinating with CCWA, Cachuma Operation and Maintenance Board, and NMFS in the preparation of this EA.

4.2 Public Involvement

Reclamation intends to provide the public with an opportunity to comment on the Draft Environmental Assessment during a 30-day public review period.

4.3 Endangered Species Act (16 U.S.C. § 1531 et seq.)

Section 7 of the Endangered Species Act requires Federal agencies, in consultation with the Secretary of the Interior and/or Commerce, to ensure that their actions do not jeopardize the continued existence of endangered or threatened species, or result in the destruction or adverse modification of the critical habitat of these species.

Reclamation is consulting with NMFS regarding potential impacts from the Proposed Action on the federally endangered Southern California steelhead Distinct Population Segment (DPS) and its critical habitat.

5 References

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- Nevitt, G., and A. Dittman. 1999. A new model for olfactory imprinting in salmon. *Integrative Biology* No. 1: 215–223.
- NMFS. 2000. *Bureau of Reclamation Operation and Maintenance of the Cachuma Project on the Santa Ynez River in Santa Barbara County, California*. National Marine Fisheries Service, Southwest Region.



— BUREAU OF —
RECLAMATION

Central Coast Water Authority Temporary Warren Act Contract

CGB-EA-2022-023

Final Environmental Assessment

Mission Statements

The U.S. Department of the Interior protects and manages the Nation's natural resources and cultural heritage; provides scientific and other information about those resources; and honors its trust responsibilities or special commitments to American Indians, Alaska Natives, and affiliated Island Communities.

The mission of the Bureau of Reclamation is to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public.

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1 Introduction

The Bureau of Reclamation (Reclamation) provided the public with an opportunity to comment on the Draft Environmental Assessment (EA) between March 25, 2022 and April 22, 2022. One comment letter was received. The comment letter is included in Appendix A and responses are included in Section 4.2 of this EA. Changes between this Final EA and the Draft EA, which are not minor editorial changes, are indicated by vertical lines in the left margin of this document.

1.1 Background

Central Coast Water Authority (CCWA) is a California Joint Powers Agency that was formed in 1991 to construct necessary facilities to deliver supplemental water supplies from the State Water Project (SWP) to the communities in San Luis Obispo and Santa Barbara Counties. The SWP Coastal Branch facilities were completed in 1997.

In 1994, Reclamation released an EA that analyzed the construction of an extension of the SWP Coastal Branch that would allow the annual introduction through issuance of a long-term Warren Act Contract¹ of SWP water into the Cachuma Project facilities for delivery to CCWA's South Coast Participants². A Finding of No Significant Impact was issued on January 3, 1995.

In 1995, Reclamation issued a 25-year Warren Act contract to CCWA that allowed the annual introduction, storage, and conveyance of up to 13,750 acre-feet (AF) of water acquired by or available to CCWA from or through the SWP into Cachuma Project facilities for delivery to the South Coast Participants for municipal and industrial uses. Introductions of SWP water under the 1995 Warren Act contract began in 1997.

Prior to entering Lake Cachuma, the treated water is dechlorinated at the Santa Ynez Pumping Facility located near the town of Santa Ynez. After being delivered to Lake Cachuma, CCWA water supplies are delivered to the South Coast via the Tecolote Tunnel and the South Coast Conduit. CCWA water is delivered to the Santa Ynez River Water Conservation District Improvement District No.1 (ID No.1) directly from a connection to the SWP pipeline before it reaches the Santa Ynez Pumping Facility.

CCWA's water is treated at the Polonio Pass Water Treatment Plant in San Luis Obispo County and then dechlorinated at CCWA's Santa Ynez Pumping Facility near the town of Santa Ynez using sodium bisulfite prior to its introduction into Lake Cachuma. Built-in safety systems automatically shut off the pumps of the Santa Ynez Pumping Facility if sodium bisulfite residual levels fall below

¹ A contract that allows non-Reclamation Project water to be introduced into Reclamation facilities.

² CCWA's South Coast Participants include: Carpinteria Valley Water District, the City of Santa Barbara, Goleta Water District, Montecito Water District, La Cumbre Mutual Water, Raytheon Systems Co. and Morehart Land Co.

0.1 mg/L or above 1 mg/L protecting water quality in Lake Cachuma and the Lower Santa Ynez River³.

1.2 Purpose and Need for the Proposed Action

CCWA water has been and continues to be a much-needed supplemental water supply for the water deficient South Coast especially during drought conditions. As the existing Warren Act Contract expires in June 2022, CCWA has requested a new short-term Warren Act Contract to continue the introductions, conveyance, and storage of non-Reclamation Project water into Cachuma Project facilities for delivery to the CCWA's South Coast Participants. Reclamation and CCWA are in the process of negotiating a new long-term Warren Act Contract. In addition, Reclamation is currently in re-consultation with the National Marine Fisheries Service (NMFS) under the Endangered Species Act (ESA) regarding operation and maintenance of the Cachuma Project. As negotiations for the long-term Warren Act contract and re-consultation on the Cachuma Project are not anticipated to be complete by June 2022, CCWA and Reclamation need to enter into a short-term contract to allow the continued delivery of a much-needed water supply to the South Coast Participants.

2 Alternatives Including Proposed Action

2.1 No Action Alternative

Under the No Action Alternative Reclamation would not issue short-term Warren Act Contract(s) to CCWA for the annual introduction, conveyance, and storage of up to 13,750 AF of CCWA water within Cachuma Project facilities.

2.2 Proposed Action

Reclamation proposes to issue short-term (up to five-years) Warren Act Contract(s) to CCWA that would allow the annual introduction, conveyance, and storage of up to 13,750 AF of CCWA's water within Cachuma Project facilities.

Measures to avoid and minimize effects to the endangered Southern California steelhead Distinct Population Segment (DPS; *Oncorhynchus mykiss*) have been, and will continue to be, implemented during CCWA operations. Measures are primarily related to preventing steelhead from imprinting on CCWA water and preventing CCWA water from being released to Hilton Creek. Reclamation proposes to implement the following:

³ A detectable concentration of Sodium Bisulfite is needed to confirm the water has been fully dechlorinated. CCWA also monitors for chlorine concentrations and its pumping plant will shut down if chlorine concentrations are detected, a further mechanism for protecting water quality in Lake Cachuma.

- Releases of CCWA water to the Santa Ynez River mainstem may not occur during December through May.
- Releases of CCWA water to the Santa Ynez River mainstem may only occur during Water Right (WR) 89-18 water right releases when flow is discontinuous in the mainstem, primarily between July to October.
- During June and November CCWA water may be introduced into the Lower Santa Ynez River only when: (1) *O. mykiss* are not present based on snorkel and trapping surveys conducted under WR 89-18 water rights release monitoring pursuant to technical sessions with NMFS regarding Reasonable and Prudent Measure 6 of the 2000 *Biological Opinion for the Operation and Maintenance of the Cachuma Project* (2000 BiOp) and (2) no rain is predicted for at least 14 days. Two traps would be operated in the Lower Santa Ynez River, with one located near the confluence of Hilton Creek and the river and the other located further downstream (e.g., Meadowlark crossing). Releases of blended CCWA water to the Lower Santa Ynez River in June and November would cease immediately if any *O. mykiss* are caught in the traps, or observed during the snorkel surveys.
- CCWA water may be mixed up to 50 percent of the total rate of releases to the Lower Santa Ynez River.
- CCWA and Lake Cachuma water entering the Stilling Basin would be blended to a temperature of $\leq 18^{\circ}\text{C}$, as estimated pursuant to the Penstock Temperature Monitoring Plan.
- There is no delivery of CCWA water into Lake Cachuma via the outlet works when the Hilton Creek Emergency Backup System (EBS) is delivering water.
- There will be no delivery of CCWA water via the outlet works when the lake-based Hilton Creek Watering System Pumping Platform is in operation or the EBS is set to stand-by mode to deliver water to Hilton Creek.⁴

CCWA water includes SWP water from the Sacramento River watershed, previously banked SWP water, and other non-SWP water supplies acquired from the Sacramento River watershed, the San Joaquin River watershed, and the San Joaquin-Sacramento Delta. CCWA's acquired non-SWP water supplies can include groundwater pumping, groundwater substitution, land fallowing, or other transfers and exchanges that are common in Reclamation's Central Valley Project and the SWP. The conveyance of non-SWP water supplies through the SWP are reviewed and approved independently by the California Department of Water Resources (DWR) prior to this water being conveyed in State facilities to CCWA's facilities. Prior to introduction into Cachuma Project facilities, CCWA's water will continue to be treated as done under baseline conditions.

Under the short-term Warren Act Contract(s), CCWA water would continue to be introduced and conveyed through Cachuma Project facilities (i.e., Bradbury Dam outlet works, Stilling Basin, Lake Cachuma, North Intake of the Tecolote Tunnel, and the South Coast Conduit) to CCWA South Coast Participants located along the South Coast Conduit.

⁴ EBS standby is defined as the condition of being aligned and configured to automatically initiate flow upon loss of power during pumped flow from the lake-based Hilton Creek Watering System (HCWS). The system may be available for use at other times (e.g. during gravity flow from the lake-based HCWS); however, standby *only* occurs when the lake-based HCWS is delivering pumped flow and the EBS is only triggered to start automatically when there is a loss of power.

No modifications to existing infrastructure or construction would be needed for the Proposed Action.

2.2.1 Mechanisms of CCWA Water Introduction to the Cachuma Project

There are two existing mechanisms for the introduction of CCWA water into Lake Cachuma: (1) a direct connection of the CCWA pipeline to the Bradbury Dam outlet works penstock; and (2) a high-density polyethylene penstock bypass pipeline (bypass pipeline) that introduces CCWA water directly into Lake Cachuma⁵. These mechanisms would remain unchanged under the proposed action.

When releases from the outlet works occur at the same time as CCWA water is being introduced through the outlet works, CCWA water mixes with water from Lake Cachuma and is released into the Stilling Basin where it flows into the Lower Santa Ynez River. This mixing of CCWA water has certain advantages to downstream entities for enhancing water quality (i.e., reduced total dissolved solids) and the Cachuma Project Member Units⁶, Santa Ynez River Water Conservation District (SYRWCD), and the City of Lompoc entered into a Settlement Agreement in September 2002 to maximize introduction of CCWA water during their Water Rights Releases⁷ from the outlet works. The 2002 Settlement Agreement has been incorporated into Cachuma Project WR Order 2019-0148 (WR 2019-0148).

CCWA water may be introduced to Lake Cachuma or the Lower Santa Ynez River at rates ranging from 3 cubic feet per second (cfs) up to 22 cfs, as limited by the capacity of the four pumps at CCWA's Santa Ynez Pumping Facility. Three of the four pumps operate only at 100 percent, while the remaining pump has a variable frequency drive which allows for any flow rate from 3 to 22 cfs. Operation of the Santa Ynez Pumping Facility is variable, but in general the Pumping Facility operates minimally when Lake Cachuma is full and may operate at maximum capacity for extended periods of time during drought conditions.

When Reclamation is releasing water from the outlet works at Bradbury Dam, and CCWA is delivering CCWA water to Lake Cachuma, commingled water will be released to the Lower Santa Ynez River pursuant to the measures noted in Section 2.2 above. When Reclamation is releasing water from the EBS, CCWA water will not be introduced into the outlet works as the EBS is plumbed into the outlet works.

Temperature monitoring sensors and related equipment in the penstock at the Bradbury Dam outlet works and in the CCWA pipeline collect and transmit data to both CCWA and Reclamation's Supervisory Control and Data Acquisition (SCADA) System.

⁵ The bypass pipeline has been routed previously in three configurations: bypass pipeline through the spillway onto the bedrock shelf (used when lake levels are low and bedrock shelf is exposed), bypass pipeline to the spillway gate threshold (used when the bedrock shelf is submerged and lake level is below the spillway gate threshold) and bypass pipeline over the top of the dam (used when lake level is above the threshold of the spillway gate).

⁶ Cachuma Project Member Units include Carpinteria Water District, City of Santa Barbara, Goleta Water District, Montecito Water District, and Santa Ynez River Water Conservation District Improvement District No. 1.

⁷ Non-discretionary Water Rights Releases have occurred since the completion of Bradbury Dam. These releases are made in accordance with State Water Resources Control Board permits 11308 and 11310 issued to Reclamation for the Cachuma Project, as conditioned by WR Order 73-37, as amended by WR Order 89-18, and WR Order 2019-0148.

The system uses a flow weighted average of lake water temperature and CCWA water temperature to calculate an estimate of the blended temperature of water releases to the Stilling Basin. These calculations are done continuously using a programmable logic controller at a set frequency of once every 1-15 minutes. The Cachuma Operation and Maintenance Board (COMB) and Reclamation monitor the temperature of CCWA water and water in the penstock, and there is a SCADA alarm set to alert CCWA and Reclamation when the temperature of blended water is approaching a certain threshold below 18°C (J. Brady, CCWA, personal communication, 3/21/2022). When the temperature of blended water is approaching the 18°C-temperature limit for steelhead, Reclamation will immediately reduce or suspend delivery of CCWA water or increase delivery of Cachuma Lake water to avoid exceeding the 18°C-temperature limit.

2.2.2 CCWA Water Treatment

Prior to its introduction into Lake Cachuma, CCWA water is treated in CCWA's Polonio Pass Water Treatment Plant in San Luis Obispo County to applicable drinking water standards. This treatment process includes adding chloramine (a mix of chlorine and ammonia) to the water. From the Polonio Pass Water Treatment Plant, CCWA's water is conveyed to the Santa Ynez Pumping Facility where it is treated with sodium bisulfite to remove the chloramine before the water is conveyed to Bradbury Dam for introduction into Cachuma Project facilities.

Built-in safety systems at the Santa Ynez Pumping Facility automatically shut off the pumps if a chlorine concentration ≥ 0.03 mg/L is detected, or if residual sodium bisulfite concentrations drop to 0.1 mg/L or rise above 1 mg/L. Slightly more sodium bisulfite is added to the water than needed to completely neutralize the chlorine, which results in a small amount of unreacted sodium bisulfite left in the water (i.e. >0.1 mg/L and ≤ 1 mg/L). Based on the chemistry of the chemical reaction between sodium bisulfite and chloramine, as long as there is a detectable sodium bisulfite concentration in the water there is no free chlorine left in the water (i.e., chlorine residual is 0 mg/L).

Free ammonia is a byproduct of the sodium bisulfite water treatment process. A study conducted by CCWA that tracked the fate of free ammonia through the eight-mile pipeline that runs from the Santa Ynez Pumping Facility to Lake Cachuma found that only small concentrations of free ammonia reach Lake Cachuma. Samples collected at the Lake Cachuma delivery point over the 12-month study period (2016 to 2017) had free ammonia concentrations ranging from 0 mg/L to 0.14 mg/L with an average concentration of 0.04 mg/L (CCWA 2021). This represents an average removal efficiency of over 90 percent from the average free ammonia concentrations measured at the outlet vault of the Santa Ynez Pumping Facility.

3 Affected Environment and Environmental Consequences

3.1 Resources Eliminated from Further Analysis

Reclamation analyzed the affected environment and determined that the Proposed Action does not have the potential to cause adverse effects to the following resources:

3.1.1 Air Quality

There will be no impacts to air quality as there would be no change in baseline conditions.

3.1.2 Climate Change

The Proposed Action does not include construction of new facilities or modification to existing facilities that would impact greenhouse gas emissions. Pumping to deliver CCWA water to Lake Cachuma would be similar to what has been done in the past and is part of baseline conditions and would not result in emissions that would impact climate change. Cachuma Project operations and allocations are flexible, any changes in hydrologic conditions due to global climate change would be addressed within Reclamation's operational flexibility.

3.1.3 Cultural Resources

There would be no impacts to cultural resources as a result of implementing the Proposed Action as the Proposed Action would facilitate the flow of water through existing facilities to existing users. No new construction or ground disturbing activities would occur as part of the Proposed Action. Reclamation has determined that these activities have no potential to cause effects to historic properties pursuant to 36 CFR Part 800.3(a)(1).

3.1.4 Environmental Justice

Executive Order 12898 requires each federal agency to identify and address disproportionately high and adverse human health or environmental effects, including social and economic effects of its program, policies, and activities on minority populations and low-income populations. The Proposed Action would not cause dislocation, changes in employment, or increase flood, drought, or disease nor would it disproportionately impact economically disadvantaged or minority populations.

3.1.5 Indian Sacred Sites

Executive Order 13007 (May 24, 1996) requires that federal agencies accommodate access to and ceremonial use of Indian sacred sites by Indian religious practitioners and avoids adversely affecting the physical integrity of such sacred sites. The Proposed Action would not limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or affect the physical integrity of such sacred sites. There would be no impacts to Indian sacred sites as a result of the Proposed Action.

3.1.6 Indian Trust Assets

Indian Trust Assets are legal interests in assets that are held in trust by the United States for federally recognized Indian tribes or individuals. There are no Indian reservations, rancherias or allotments in the Proposed Action area. The nearest Indian Trust Asset is a public domain allotment which is about five miles to the south of the Proposed Action area. The Proposed Action does not have a potential to affect Indian Trust Assets.

3.2 Biological Resources

3.2.1 Affected Environment

The Proposed Action Area includes Lake Cachuma, the Lower Santa Ynez River below Bradbury Dam, conveyance facilities used to deliver CCWA water (i.e., Tecolote Tunnel, South Coast Conduit), and the South Coast Participant service areas where CCWA water would ultimately be delivered.

On March 18, 2022, Reclamation obtained an official species list from the United States Fish and Wildlife Service (Service) via the Service’s website, <http://ecos.fws.gov/ipac>, (Project Code: 2022-0021550). On March 18, 2022, Reclamation also obtained a species list from NMFS using the species list tool from the now unavailable National Oceanic and Atmospheric Administration’s West Coast Region website, https://archive.fisheries.noaa.gov/wcr/maps_data/california_species_list_tools.html. The species lists cover the Proposed Action Area described above. The California Department of Fish and Wildlife’s California Natural Diversity Database (CNDDDB) was also queried for records of protected species within the vicinity of the Proposed Action area (CNDDDB 2022). The species lists and the best available data were combined to determine the likelihood of protected species occurrence within the Proposed Action Area (Table 1).

Table 1. Federally Listed Threatened and Endangered Species

Species	Status ¹	Effects ²	Potential to occur and summary basis for ESA determination ³
Amphibians			
Arroyo Toad <i>Anaxyrus californicus</i>	E, X	NE	Absent. This species and designated critical habitat for this species do not occur within the Proposed Action Area. There would be <i>No Effect</i> to this species from the Proposed Action.
California red-legged frog <i>Rana draytonii</i>	T, X	NE	Present. There are CNDDDB records of this species in the Lower Santa Ynez River, and within portions of the CCWA South Coast Participants’ service area. Designated critical habitat for this species is not present within the Proposed Action Area. The Proposed Action does not involve any construction, land use changes, or conversion of suitable habitat. The Proposed Project would not alter the amount of water released to the Lower Santa Ynez River, and releases of CCWA’s Warren Act water would be subject to temperature and water quality requirements. There would be <i>No Effect</i> to this species from the Proposed Action.

Species	Status ¹	Effects ²	Potential to occur and summary basis for ESA determination ³
California tiger salamander <i>Ambystoma californiense</i>	T, X	NE	Absent. This species and designated critical habitat for this species do not occur within the Proposed Action Area. There would be <i>No Effect</i> to this species from the Proposed Action.
Birds			
California condor <i>Gymnogyps californianus</i>	E, X	NE	Possible. This species may forage in portions of the Proposed Action Area. Designated critical habitat for this species does not occur within the Proposed Action Area. The Proposed Action would not involve any construction, land use changes, or conversion of suitable habitat. There would be <i>No Effect</i> to this species from the Proposed Action.
California least tern <i>Sterna antillarum browni</i>	E	NE	Present. There are CNDDDB records of this species near the Lower Santa Ynez River estuary. The Proposed Action would not alter the amount of water released to the Lower Santa Ynez River, and would therefore have no effect on estuarine habitat. There would be <i>No Effect</i> to this species from the Proposed Action.
Least Bell's vireo <i>Vireo bellii pusillus</i>	E, X	NE	Present. There is a CNDDDB record of this species in riparian habitat along the Lower Santa Ynez River. Designated critical habitat for this species does not occur within the Proposed Action Area. The Proposed Action would not alter the amount of water released to the Lower Santa Ynez River, and would therefore have no effect on this species habitat. There would be <i>No Effect</i> to this species from the Proposed Action.
Light-footed clapper rail <i>Rallus longirostris</i>	E	NE	Present. There are CNDDDB records of this species in portions of the CCWA South Coast Participants' service area. The Proposed Action would not involve any construction, land use changes, or conversion of suitable habitat. There would be <i>No Effect</i> to this species from the Proposed Action.
Marbled murrelet <i>Brachyramphus marmoratus</i>	T, X	NE	Absent. This species and designated critical habitat for this species do not occur within the Proposed Action Area. There would be <i>No Effect</i> to this species from the Proposed Action.
Short-tailed Albatross <i>Phoebastria (=Diomedea) albatrus</i>	E	NE	Absent. This species does not occur within the Proposed Action Area. There would be <i>No Effect</i> to this species from the Proposed Action.
Southwestern willow flycatcher <i>Empidonax traillii extimus</i>	E, X	NE	Present. There are CNDDDB records of this species along the Lower Santa Ynez River and designated critical habitat for this species is present along the Lower Santa Ynez River. The Proposed Action would not alter the amount of water released to the Lower Santa Ynez River. There would be <i>No Effect</i> to this species or its critical habitat from the Proposed Action.
Western snowy plover	T, X	NE	Present. There are CNDDDB records of this species near the Lower Santa Ynez River estuary and within portions of the

Species	Status ¹	Effects ²	Potential to occur and summary basis for ESA determination ³
<i>Charadrius nivosus nivosus</i>			CCWA South Coast Participants' service area. Designated critical habitat for this species is present within one CCWA South Coast Participants' service areas. The Proposed Action would not alter the amount of water released to the Lower Santa Ynez River and would not involve any construction, land use changes, or conversion of suitable habitat. There would be <i>No Effect</i> to this species from the Proposed Action.
Crustaceans			
Riverside fairy shrimp <i>Streptocephalus wootani</i>	E, X	NE	Absent. This species and designated critical habitat for this species do not occur within the Proposed Action Area. There would be <i>No Effect</i> to this species from the Proposed Action.
Vernal pool fairy shrimp <i>Branchinecta lynchi</i>	T, X	NE	Possible. There are no records of this species within the Proposed Action Area; however, designated critical habitat for this species occurs within one of the CCWA South Coast Participants' service areas. The Proposed Action would not involve any construction, land use changes, or conversion of suitable habitat. The Proposed Action would have <i>No Effect</i> to this species or its designated critical habitat.
Fish			
Tidewater goby <i>Eucyclogobius newberryi</i>	E, X	NE	Present. This species is present in the Lower Santa Ynez River estuary, and in estuaries of streams within the CCWA South Coast Participants' service areas on the South Coast. Designated critical habitat for this species is present in the estuaries of some streams on the South Coast. The Proposed Action would not alter the amount of water released to the Lower Santa Ynez River. Furthermore, any SWP Water released to the Lower Santa Ynez River would be subject to water quality and temperature requirements. The Proposed Action does not involve any release of water to streams on the South Coast. The Proposed Action would have <i>No Effect</i> to this species or its designated critical habitat.
Southern California steelhead Distinct Population Segment (DPS) <i>Oncorhynchus mykiss</i>	E, X	NLAA	Present. This species, and designated critical habitat for this species, are present within the Lower Santa Ynez River and in streams within the CCWA South Coast Participants' service areas on the South Coast. The Proposed Action would not alter the amount of water released to the Lower Santa Ynez River. The requirements described in Section 2.2 for introduction of this water would be implemented to avoid potential negative effects to water quality or the imprinting of juvenile <i>Oncorhynchus mykiss</i> . The Proposed Action does not involve any release of water to streams on the South Coast. With the implementation of these requirements, the Proposed Action is <i>Not Likely to Adversely Affect</i> the Southern California steelhead DPS or designated critical habitat for this species.

Species	Status ¹	Effects ²	Potential to occur and summary basis for ESA determination ³
Insects			
Monarch Butterfly <i>Danaus plexippus</i>	C	NE	Possible. There are records of this species adjacent to the Santa Ynez River near the estuary. The Proposed Action would not involve any construction, land use changes, or conversion of suitable habitat. The Proposed Action would have <i>No Effect</i> to this species.
Mammals			
Southern sea otter <i>Enhydra lutris nereis</i>	T, MMPA	NE	Absent. This species does not occur within the Proposed Action Area. There would be <i>No Effect</i> to this species from the Proposed Action.
Plants			
Beach Layia <i>Layia carnosa</i>	E	NE	Absent. This species does not occur within the Proposed Action Area. There would be <i>No Effect</i> to this species from the Proposed Action.
California Orcutt grass <i>Orcuttia californica</i>	E	NE	Absent. This species does not occur within the Proposed Action Area. There would be <i>No Effect</i> to this species from the Proposed Action.
Contra Costa goldfields <i>Lasthenia conjugens</i>	E, X	NE	Absent. This species and designated critical habitat for this species do not occur within the Proposed Action Area. There would be <i>No Effect</i> to this species from the Proposed Action.
Gambel's watercress <i>Rorippa gombellii</i>	E	NE	Absent. This species does not occur within the Proposed Action Area. There would be <i>No Effect</i> to this species from the Proposed Action.
Gaviota tarplant <i>Deinandra increscens</i> ssp. <i>villosa</i>	E, X	NE	Absent. This species and designated critical habitat for this species do not occur within the Proposed Action Area. There would be <i>No Effect</i> to this species from the Proposed Action.
La Graciosa thistle <i>Cirsium loncholepis</i>	E, X	NE	Absent. This species and designated critical habitat for this species do not occur within the Proposed Action Area. There would be <i>No Effect</i> to this species from the Proposed Action.
Lompoc yerba santa <i>Eriodictyon capitatum</i>	E, X	NE	Absent. This species and designated critical habitat for this species do not occur within the Proposed Action Area. There would be <i>No Effect</i> to this species from the Proposed Action.
Marsh sandwort <i>Arenaria paludicola</i>	E	NE	Absent. This species does not occur within the Proposed Action Area. There would be <i>No Effect</i> to this species from the Proposed Action.
Salt marsh bird's-beak <i>Cordylanthus maritimus</i> ssp. <i>maritimus</i>	E	NE	Present. There are records of this species within one of the CCWA South Coast Participants' service areas on the South Coast. The Proposed Action would not involve any construction, land use changes, or conversion of suitable habitat. There would be <i>No Effect</i> to this species from the Proposed Action.

Species	Status ¹	Effects ²	Potential to occur and summary basis for ESA determination ³
Spreading Navarretia <i>Navarretia fossalis</i>	T, X	NE	Absent. This species and designated critical habitat for this species do not occur within the Proposed Action Area. There would be <i>No Effect</i> to this species from the Proposed Action.
Vandenberg monkeyflower <i>Diplacus vandenbergensis</i>	E, X	NE	Absent. This species may be present adjacent to the Lower Santa Ynez River, but does not occur within the Proposed Action Area. There would be <i>No Effect</i> to this species or its designated Critical Habitat from the Proposed Action.
Ventura marsh milk-vetch <i>Astragalus pycnostachyus</i> var. <i>lanosissimus</i>	E, X	NE	Possible. There are no records of this species within the Proposed Action Area; however, designated critical habitat for this species occurs within one of the CCWA South Coast Participants' service areas. The Proposed Action would not involve any construction, land use changes, or conversion of suitable habitat. The Proposed Action would have <i>No Effect</i> to this species or its designated critical habitat.

¹ Status = Status of federally protected species protected under the ESA

E: Listed as Endangered

T: Listed as Threatened

C: Candidate for listing

X: Critical Habitat designated for this species

MMPA: Species protected under the Marine Mammal Protection Act

² Effects = ESA Effect determination

NE: No Effect anticipated from the Proposed Action to federally listed species or designated critical habitat

NLAA: The Proposed Action is Not Likely to Adversely Affect federally listed species or designated critical habitat

³ Definition of Occurrence Indicators

Present: Species recorded in area and suitable habitat present

Possible: Species recorded in area and habitat suboptimal

Absent: Species not recorded in study area and suitable habitat absent

3.2.2 Environmental Consequences

3.2.2.1 No Action

Under the No Action Alternative, Reclamation would not allow CCWA to introduce, store and convey up to 13,750 acre-feet of CCWA water in Cachuma Project facilities. The amount of water released to the Lower Santa Ynez River would not change from current baseline conditions (when CCWA's 1995 Warren Act Contract was implemented); however, upon expiration of the existing Warren Act Contract, only Santa Ynez River water from Lake Cachuma would be released from the dam. There would be *No Effect* to proposed or listed species or Critical Habitat, and no take of migratory birds.

3.2.2.2 Proposed Action

Under the Proposed Action, CCWA would continue to introduce, store and convey CCWA water in Cachuma Project facilities. The amount of water released to the Lower Santa Ynez River below Bradbury Dam would not change as releases of this water to the river are subject to the requirements described in Section 2.2. The Proposed Action would not involve any construction,

land use changes, or conversion of habitat that may be suitable for listed species. The Proposed Action does not involve the release of any water to streams on the South Coast.

As noted in Section 1, CCWA's water is treated at the Polonio Pass Water Treatment Plant in San Luis Obispo County and then dechlorinated at CCWA's Santa Ynez Pumping Facility using sodium bisulfite prior to its introduction into Lake Cachuma. Built-in safety systems automatically shut off the pumps of the Santa Ynez Pumping Facility if chlorine is detected (≥ 0.03 mg/L) or if the sodium bisulfite concentration falls below 0.1 mg/L or rises above 1 mg/L, which prevents treated water from reaching Cachuma Project facilities or the Lower Santa Ynez River. Based on the chemistry of the chemical reaction between sodium bisulfite and chloramine, as long as there is a detectable sodium bisulfite concentration in the water there is no free chlorine left in the water (i.e., chlorine residual is 0 mg/L).

Although sodium bisulfite in higher concentrations (i.e. ≥ 39 mg/L) can deplete dissolved oxygen levels in water resulting in fish mortality, it is non-toxic to aquatic life at lower concentrations (Basu & Dorner, 2010). CCWA water enters Cachuma Project facilities with a residual sodium bisulfite concentration of ≥ 0.1 mg/L and < 1 mg/L, which is considered non-toxic; this residual concentration of sodium bisulfite is further reduced as CCWA water is diluted at least 50 percent with Cachuma Project water.

Ammonia is also a byproduct of the sodium bisulfite treatment process. In higher concentrations, ammonia can be toxic to fish and other aquatic life; however, the small amount of ammonia remaining in CCWA's water (0.00 mg/L to 0.14 mg/L) falls well below the Environmental Protection Agency's (EPA) current ammonia water quality criteria for the protection of aquatic life⁸ (EPA, 2013). Furthermore, CCWA's water is diluted by at least 50% with Cachuma Project water which would further reduce ammonia concentrations before this water reaches the Lower Santa Ynez River.

CCWA water has been and would continue to be blended with Cachuma Project water in the proportion needed to meet the temperature requirement of 18°C or less prior to introduction into the Stilling Basin/Lower Santa Ynez River. This is confirmed through SCADA monitoring within the SWP facilities that convey CCWA's water as well as by Reclamation and COMB at Bradbury Dam. Therefore, the introduction of CCWA water into the Lower Santa Ynez River is not expected to have any negative effects on water quality in the river that could affect biological resources.

Under the Proposed Action, blended CCWA water may be released into the Lower Santa Ynez River where Southern California steelhead (*O. mykiss*) and its designated critical habitat are present. Juvenile *O. mykiss* imprint on chemical odors in their natal stream which later guide their upstream homing migration as adults. *O. mykiss* undergo olfactory imprinting primarily during smoltification and downstream migration to the ocean, and potentially as alevins and emergent fry (Dittman et al., 1995; Nevitt & Dittman, 1999; Carruth et. al. 2002; Salmenkova, 2017; Bett & Hinch, 2015); In the Action Area, this may occur as early as November and extend as late as June in some years. Releasing CCWA water to the Lower Santa Ynez River could potentially cause incorrect imprinting and interfere with upstream adult migration back to their natal river. The Proposed Action avoids or

⁸ The EPA's *Freshwater Ammonia Aquatic Life Ambient Water Quality Criteria* are: Acute 1-hour average of 17 mg/L total ammonia and a chronic 30-day rolling average⁸ of 1.9 mg/L total ammonia at a pH of 7.0 and a temperature of 20°C (EPA, 2013).

minimizes the risk of incorrect olfactory imprinting from the release of CCWA water to the Lower Santa Ynez River by avoiding releases of this water to the river from December through May and by only allowing the release of CCWA water to the river in June and November when steelhead are not present.

Releases of blended CCWA water supplies to the Lower Santa Ynez River do not occur when there is surface water connectivity with the ocean. Releases of CCWA water to the Lower Santa Ynez River would only occur during WR 89-18 water rights releases. WR 89-18 water rights releases are made such that flows do not go past the H-Street Bridge in Lompoc, resulting in no streamflow connectivity to the lagoon and ocean.

With the implementation of the conservation measures restricting the timing and rate of release of CCWA's water to the river, the Proposed Action is highly unlikely to disrupt the olfactory imprinting of juvenile *O. mykiss*. Furthermore, with the use of automatic safety shut-off systems at the Santa Ynez Pumping Facility and the continued implementation of water temperature requirements, the Proposed Action is not expected to have any negative effects on water quality. With the Conservation Measures listed in 2.2, Reclamation has determined that the Proposed Action is *Not Likely to Adversely Affect* the endangered Southern California steelhead DPS or designated critical habitat for this species. On June 2, 2022, Reclamation requested written concurrence from NMFS that the Proposed Action is *Not Likely to Adversely Affect* the Southern California steelhead DPS or critical habitat for this species. NMFS concurred with the *Not Likely to Adversely Affect* determination for the Proposed Action on June 13, 2022.

Reclamation has also determined that the Proposed Action would have *No Effect* to any other proposed or listed species or critical habitat under the ESA (16 U.S.C. §1531 et seq.), and would not result in take of birds protected under the Migratory Bird Treaty Act (16 U.S.C. §703 et seq.).

3.3 Water Resources

3.3.1 Affected Environment

The affected environment is located in Santa Barbara County, California and includes Cachuma Project facilities (i.e., Bradbury Dam and Lake Cachuma, Tecolote Tunnel, and the South Coast Conduit), the Lower Santa Ynez River below Bradbury Dam, and the service areas on the South Coast where CCWA water would ultimately be delivered.

3.3.1.1 Cachuma Project

The Cachuma Project consists of Bradbury Dam, Lake Cachuma, the Tecolote Tunnel, the South Coast Conduit, four regulating reservoirs (Glen Anne Reservoir, Lauro Reservoir, Ortega Reservoir, and Carpinteria Reservoir) and appurtenant facilities in Santa Barbara County. Reclamation diverts, stores, and delivers Santa Ynez River water pursuant to permits issued by the State Water Resources Control Board.

Pursuant to a contract with Santa Barbara County (County), Reclamation makes available up to 25,714 acre-feet/per year of Cachuma Project water to the County for subsequent beneficial use by the Cachuma Project Member Units. Cachuma Project water is delivered to the South Coast Cachuma Member Units via the Tecolote Tunnel and South Coast Conduit system and is made

available to ID No.1 pursuant to an exchange agreement between ID No. 1 and the South Coast Member Units.

3.3.1.2 Lower Santa Ynez River

The Lower Santa Ynez River runs for approximately 48.7 river miles between Bradbury Dam and the Pacific Ocean. Below Bradbury Dam, the river passes south of the town of Santa Ynez and then flows through the broad section of the Santa Ynez Valley, near Buellton. West of Buellton, near the City of Lompoc, the river flows through a narrow section referred to as “the Narrows” and emerges onto the broad, flat Lompoc Plain. From there the river travels approximately 13 miles, transitioning to the Santa Ynez River estuary on Vandenberg Air Force Base and then directly into the Pacific Ocean at Surf Beach.

3.3.1.3 Lake Cachuma Water Quality

Raw lake water quality is measured monthly at Lake Cachuma for key constituents related to water treatment processes. The annual average concentrations measured for specific conductivity, total dissolved solids, total organic carbon, turbidity, and sulfate concentrations for Lake Cachuma and CCWA water between 2015 and 2020 are provided in Table 2.

Table 2. CCWA Water Quality and Lake Cachuma Water Quality Annual Results

Year	Specific Conductivity (mmhos/cm)		Total Dissolved Solids (mg/L)		Total Organic Carbon (mg/L)		Turbidity (NTU)		Sulfate (mg/L)	
	CCWA	Cachuma	CCWA	Cachuma*	CCWA	Cachuma	CCWA	Cachuma	CCWA	Cachuma
2015	781	963	437	626	2.5	4.7	0.17	12.11	97	263
2016	609	1027	346	668	2.3	4.2	0.11	12.98	100	272
2017	306	825	165	536	2.0	5.7	0.18	3.74	30	110
2018	481	876	220	569	2.1	5.5	0.13	8.33	55	236
2019	403	836	260	543	1.9	4.6	0.10	3.83	46	217
2020	503	918	280	597	2.0	4.9	0.12	2.75	63	90
Average	514	908	285	590	2.1	4.9	0.14	7.29	65	198

*Specific Conductance multiplied by 0.65 conversion factor

Sources: CCWA Polonio Pass Treatment Plant Water Quality Tables 2016 to 2020 <http://www.ccwa.com/archives.html>; City of Santa Barbara Public Works Department Water Resources Laboratory - Lake Cachuma Monthly Monitoring 2015 to 2020

3.3.1.4 SWP Water Quality

CCWA monitors water quality within CCWA’s facilities. Average annual water quality data is included in Table 2 for the past five years. Water in the CCWA system prior to delivery to Lake Cachuma had consistently lower concentrations of total dissolved solids, total organic carbon, turbidity, and sulfates than the water in Lake Cachuma.

3.3.1.5 Central Coast Water Authority

As noted previously, CCWA is a public entity that was organized to construct, operate, and maintain South Coast facilities in order to bring supplemental water supply to its member agencies. CCWA has a SWP water contract for 45,486 acre-feet per year. Between 2016 and 2020, CCWA has delivered a total of 43,187 AF to the CCWA South Coast Participants (Table 3). Since 1997, an average of approximately 2,040 AF per year has been exchanged for Cachuma Project water through

the Santa Ynez Exchange Agreement, with a low of 0 AF in 2016 and a high of 3,155 AF in 2003 (CCWA 2021). The water delivered to Lake Cachuma by CCWA has been used for supplemental water supplies especially during drought years. In the most recent drought, CCWA water was the primary source of water being introduced into Lake Cachuma.

Table 3. South Coast Cachuma Member Units Total Water Supplies over the Last Five Years in Acre-Feet

Water Supply	2016	2017	2018	2019	2020
Cachuma Project	8,216	3,584	5,070	10,704	17,895
CCWA Water	14,427	12,547	13,751	1,460	1,002

3.3.2 Environmental Consequences

3.3.2.1 No Action

Under the No Action, supplemental water supplies would no longer be available to the CCWA South Coast Participants. This could cause shortages in water supplies for their customers especially during drought years. As shown in Table 3 above, during the recent critical drought, CCWA water was crucial for the South Coast being as high as 3.5 times the amount of Cachuma Project water supplies, which occurred in 2017. Not having this water supply available would substantially negatively affect the South Coast water supply.

3.3.2.2 Proposed Action

The Proposed Action would continue to allow up to 13,750 acre-feet/year of CCWA water to continue to be introduced, stored, and conveyed through Cachuma Project facilities when excess capacity is available. The introduction, storage and conveyance of CCWA water would not increase or change operations in the Sacramento-San Joaquin River Delta. The additional water would be used by CCWA South Coast Participants to meet existing municipal and industrial demands. In general, CCWA water delivered to Lake Cachuma is used first by the CCWA South Coast Participants in order to carry over (store) their Cachuma Project water allocations for later use to better manage all available water supplies to meet existing demands. There would be no change in district boundaries or growth associated with use of this water. As shown in Table 3, this water is critical for the CCWA South Coast Participants to meet their existing demands, especially during drought years. As noted previously, there would be no modification of facilities in order to convey or deliver this water. The Proposed Action would be beneficial to water supplies within the Action area and would not adversely impact Cachuma Project operations.

As noted in Section 2.2, CCWA water would not be introduced into Lake Cachuma during spill events, i.e. when water is released from the dam to prevent overtopping. If any CCWA water is stored in Cachuma during these periods of time, this amount would be miniscule compared to water in the Lake. Any release of CCWA water from Lake Cachuma to the Lower Santa Ynez River is required to be mixed with Cachuma Project water up to 50 percent and subject to temperature and seasonal requirements as set forth in the 2000 biological opinion for Cachuma Project operations. As this water is mixed and flows over natural substrates in the river, its water chemistry is modified until it becomes indistinguishable from natural river water, and would, therefore, have no adverse impacts to water quality or beneficial uses in the Lower Santa Ynez River.

3.4 Cumulative Impacts

In the Council on Environmental Quality's (CEQ's) July 16, 2020 "Update to Regulations Implementing the Procedural Provisions of the National Environmental Policy Act" (85 FR 43304) the definition of cumulative impacts provided in 40 CFR 1508.7 was repealed. The CEQ conveyed the position that the analysis of cumulative effects, as defined in the 1978 regulations, is not required under NEPA. This regulation update does not preclude the analysis of cumulative effects, but identifies that all analyses of environmental effects, including cumulative effects, should focus on those effects that are reasonably foreseeable and have a reasonably close causal relationship to the proposed action.

Reclamation has made the determination that the effects of the Proposed Action evaluated in this EA, combined with other reasonably foreseeable projects, would not result in cumulative impacts to any of the resources described above. Cachuma Project operations would not be impacted as there would be no change from baseline conditions and the Proposed Action would be subject to all applicable environmental, operational, and regulatory requirements associated with operation of the Cachuma Project.

4 Consultation and Coordination

4.1 Agencies and Persons Consulted

Reclamation consulted and coordinated with CCWA, Cachuma Operation and Maintenance Board, and NMFS in the preparation of this EA.

4.2 Public Involvement

Reclamation provided the public with an opportunity to comment on the Draft EA between March 25, 2022 and April 22, 2022. One comment letter was received from the SYRWCD and it is included in Appendix A. The comment letter includes two primary assertions (1) Reclamation did not notify the SYRWCD of release of the EA or provide the biological evaluation as part of the release for public review, and (2) that the Draft EA Proposed Action included additional restrictions on the mixing of CCWA water with WR 89-18 Water Rights Releases that are contrary to the 2002 Settlement Agreement, 2000 BiOp, WR 2019-0148, and Reclamation's water rights permits. Reclamation disagrees with both assertions.

For the first assertion, notification of the availability of the Draft EA was provided to the public on the day it was released. In addition, Section 3.2 of the Draft EA included the analysis that was included in the biological evaluation referenced in the comment letter. Further, Reclamation has ongoing biweekly coordination meetings with the Cachuma Project interested parties, including SYRWCD. Prior to release of the Draft EA, Reclamation discussed CCWA's short-term Warren Act contract, the Draft EA, and the informal consultation that would be needed for the Proposed

Action during several of the coordination calls. Reclamation provided CCWA with an administrative draft of the EA prior to its release and was notified by CCWA that it was shared with its South Coast Participants and the SYRWCD prior to its release for public review.

For the second assertion, the restrictions included in the Draft EA were consistent with the 2000 BiOp and were not additional restrictions. Those restrictions were analyzed in the 2000 BiOp and are therefore consistent with WR 2019-0148 and the 2002 Settlement Agreement which requires mixing to be consistent with the 2000 BiOp. Specifically, page 11 of the 2000 BiOp states: “Releases of CCWA water to the mainstem would only occur during water rights releases from May to October, with the bulk of releases occurring July - September.” Reclamation attempted to address previously noted confusion in mixing requirements from the 2000 BiOp to expressly state when mixing is allowed. As noted in Section 1.2, the current CCWA long-term Warren Act Contract expires in June 2022. The short-term Warren Act Contract analyzed in this EA is a separate action not covered in the 2000 BiOp.

Since release of the Draft EA, the Proposed Action has been revised in coordination and cooperation with SYRWCD and the Cachuma Project local interests, all of whom provided helpful information to address some of the concerns expressed by SYRWCD in their comment letter. The Proposed Action was also revised in coordination with NMFS to address concerns expressed during informal consultation regarding the timing of *O. mykiss* olfactory imprinting in the Lower Santa Ynez River. The revisions are included in Section 2.2 of this Final EA and the concurrence memorandum received from NMFS for the Proposed Action (Appendix B).

4.3 Endangered Species Act (16 U.S.C. § 1531 et seq.)

Section 7 of the Endangered Species Act requires Federal agencies, in consultation with the Secretary of the Interior and/or Commerce, to ensure that their actions do not jeopardize the continued existence of endangered or threatened species, or result in the destruction or adverse modification of the critical habitat of these species.

Reclamation consulted with NMFS regarding potential impacts from the Proposed Action on the federally endangered Southern California steelhead DPS and its critical habitat. On June 13, 2022, NMFS concurred with Reclamation’s determination that the Proposed Action is *Not Likely to Adversely Affect* the endangered Southern California steelhead DPS or its designated critical habitat (Appendix B).

5 References

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Appendix A: Comment Letter on Draft Environmental Assessment

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Re: Parent District Comments on Draft Environmental Assessment (EA) for Central Coast Water Authority (CCWA) Temporary Warren Act Contract [CGB-EA-2022-023]

The Santa Ynez River Water Conservation District (Parent District) submits the following comments on the above-referenced EA for the CCWA Temporary Warren Act Contract (Project). The Parent District just learned of this EA and associated Biological Evaluation (BE) yesterday as they were included as part of CCWA's Board Packet¹ for its April 28, 2022 Board meeting. The Parent District is disappointed that it was not advised of the EA being out for public review and comment by the United States Bureau of Reclamation (Reclamation), and also notes that the BE is not referred to in the EA and has not been made publicly available by Reclamation during the EA comment period or otherwise. Be that as it may, as explained below, the Project appears to include additional restrictions on the mixing of CCWA's SWP supplies with downstream water rights releases contrary to the 2002 Settlement Agreement, the 2000 Biological Opinion

¹ Available at: <https://www.ccwa.com/files/acb8a110f/BoardPacket04282022.pdf>.

(Biological Opinion), WRO 2019-0148², and Reclamation's Cachuma Project water rights permits. As you know, mixing is critical to ensuring that the Cachuma Project is not impairing downstream water quality. There is no evidence that exclusion of November from the months in which mixing can occur – even when the flow is discontinuous in the mainstem, among other restrictions, is warranted³, and imposing such additional restrictions through the EA does not follow required procedures. Any modification to the Biological Opinion to add restrictions on mixing should be evaluated as part of the ongoing formal reinitiation of consultation – not by de facto amendment.⁴ If further pursued, any additional unmitigated restrictions on mixing should be discussed with relevant stakeholders and evaluated as part of the ongoing consultation before being approved or implemented.

The Parent District covers approximately 180,000 acres, principally downstream of the Cachuma Project. The Parent District's constituents rely upon regular water rights releases being made from the Project's Bradbury Dam of sufficient quality and quantity to serve downstream beneficial uses, which include agricultural and domestic users of Santa Ynez River water. Such releases replenish downstream alluvial aquifers and groundwater basins. The Parent District's constituents include Santa Ynez River Water Conservation District, Improvement District No. 1, the cities of Solvang, Buellton and Lompoc, and various communities. The City of Lompoc, in particular, consists of various disadvantaged communities, who rely on Santa Ynez River releases as their sole source of supply and replenishment. The City of Lompoc previously raised claims with the State Water Resources Control Board (State Water Board) regarding the Cachuma Project's impairment of downstream water quality.

On December 17, 2002, the Cachuma Conservation Release Board (CCRB), the Parent District, Improvement District No. 1 and the City of Lompoc entered into a Settlement Agreement relating to the operation of the Cachuma Project (Cachuma Project Settlement Agreement). The Cachuma Project Settlement Agreement resolved 50 years of disputes relative to operation of the Project, including litigation and claims regarding downstream water quality impacts raised by the City of Lompoc. The Cachuma Project Settlement Agreement's provisions are incorporated by reference, discussed in, and attached as Appendix 2 to the State Water Board's WR Order 2019-0148 (WRO 2019-1048 or Order) In the Matter of Permits 11308 and 11310 (Applications 11331 and 11332) held by the United States, Bureau of Reclamation for the Cachuma Project on the Santa Ynez River. (Order, §§ 6.1-6.5, pp. 100-110.)

As explained in WRO 2019-0148 (Order, § 6.2.1, pp. 102-103), the following recited provision (Subparagraph 1.5 – Deliveries During Releases) of the Settlement Agreement, which

² Available at: https://www.waterboards.ca.gov/waterrights/water_issues/programs/hearings/cachuma/docs/wro2019_0148_withagreement_final.pdf

³ In fact, the EA indicates that per the draft 2016 biological opinion additional restrictions on mixing do not appear to be necessary: "*the effects of...Central Coast Water Authority state water project deliveries and releases are expected to be avoided by measures that are currently in place and are expected to continue.*" (Board Packet, pdf p. 106; BE, p. 12.)

⁴ U.S. Fish & Wildlife Service and NMFS, Consultation Handbook (March 1998 Final), p. 4-63, 64; 50 CFR §402.16.

provides for commingling of SWP water imported by CCWA, is a key component of resolving the City of Lompoc's Cachuma Project water quality concerns, returning the groundwater quality in the Lompoc Plain Groundwater Basin to a no project condition, and avoiding impairment to senior groundwater rights:

"The parties to this Agreement will, as provided in Exhibit D, make best efforts to maximize the delivery by ... [CCWA of SWP] water with lower concentrations of total dissolved solids ('TDS') into the outlet works at Bradbury Dam during WR 89-18 water rights releases consistent with the NMFS BO. This will be accomplished through the commingling of SWP water with WR 89-18 water rights releases in the Outlet Works at Bradbury Dam when downstream water rights releases are being made. Generally, SWP deliveries by CCWA are of lower TDS concentrations compared to water releases from Lake Cachuma under WR 89-18. The objective of such commingling operations is to maximize the delivery of SWP Water to lower the TDS in the lower Santa Ynez River and at the Narrows. Such coordinated program shall be carried out as set forth in Exhibit "D" hereto." (Emphasis added.)

Reclamation approved of and supported the Cachuma Project Settlement Agreement in the WRO 2019-0148 proceedings as a way of resolving 50 years of disputes between the Cachuma Project Member Units and the downstream parties, including the Parent District and the City of Lompoc, with respect to the operation of the Project. This included disputes relating to water rights and water quality issues among them, including key hearing issues 4, 5 and 6, and resolution of the City of Lompoc's litigation and claims regarding the Project's injury to its senior water rights including water quality impairment caused by the Project. (Order, p. 100.)

Key Hearing Issue 4 was:

"Has any senior, legal user of water been injured due to changes in water quality resulting from the operation of the Cachuma Project? (Order p. 101.)"

According to the Order, the City of Lompoc owns 9 domestic wells providing the sole source of water to 39,000 people including disadvantaged communities. (*Ibid.*) Lompoc asserted that historic operation of the Cachuma Project impaired the water quality in the groundwater basin in such a manner as to injure the city's senior downstream water rights. (*Ibid.*) In WRO 2019-0148, the State Water Board concluded that under the current operating regime under the **2000 Biological Opinion**, "which includes the **downstream water rights releases as required by Order WR 89-18 and the commingling of SWP water that is imported by the CCWA**, the groundwater quality in the eastern portion of the Lompoc Plain Groundwater Basin will return to a no project condition, and should ensure that the Cachuma Project does not impair the City of Lompoc's senior groundwater rights." (Order, pp. 102-103, emphasis added.)

The State Water Board found that "operation of the Cachuma Project in accordance with the Settlement Agreement will protect senior water right holders from injury due to either changes in **water quality** or a reduction in the quantity of water available to serve prior rights." (Order, p.

109, emphasis added.) The State Water Board further found that “Reclamation should operate the Cachuma Project pursuant to the new accounting, monitoring, and operating procedure set forth in the Settlement Agreement, and the Permits should be amended as proposed by Reclamation and agreed to by the parties to the agreement.” (*Ibid.*) In making these findings, the State Water Board recognized that the 2000 Biological Opinion (Biological Opinion) limited the amount of SWP water that can be “mixed” and referenced the only other restrictions related to the delivery of SWP water as stated in the Final EIR for the Order, as follows:

“2.4.4.3 Restrictions of State Water Project Releases

The Biological Assessment described restrictions on the delivery of SWP water to the reservoir. SWP water will not exceed 50 percent of the amount of water released from Bradbury Dam at any given time. In addition, SWP water will not enter the stilling basin with a temperature over 18 degrees Celsius. Finally, the Biological Opinion requires that releases of SWP water to the mainstem in conjunction with water rights and fish enhancement releases shall not occur during the migration period of **December through June, unless flow in the mainstem is discontinuous**. This requirement has been met since 2001. (Order, p. 102, fn. 65; FEIR, Vol. II⁵, p. 2.0-38, emphasis added.)

In contrast to the above, the Project adds significant additional restrictions on mixing of SWP deliveries with downstream water rights releases. In particular, the EA adds the following restrictions on CCWA deliveries through the Bradbury Dam outlet works:

“Releases of CCWA water to the mainstem only occurs during water right releases from **May to October**, with the bulk of releases occurring July through September;” (EA, p. 4, emphasis added.)

These additional restrictions are not part of the Biological Opinion’s reasonable and prudent measures, and they are not referenced in the Settlement Agreement or WRO 2019-0148. Neither the EA nor any other relevant document, to our knowledge, evaluates the need for such additional restrictions on mixing. Presently, there is no limit on mixing during any particular months whatsoever when the mainstem flow is discontinuous, and when it is not discontinuous mixing can still occur in **November**, as is sometimes necessary and as may be necessary more often in the future due to climate change.

The Parent District was not consulted regarding the need for these additional unmitigated mixing restrictions, which represent a significant departure from the baseline and will cause water quality impacts to the Parent District’s constituents, including the City of Lompoc and its disadvantaged citizens. These additional restrictions are conflict with the Biological Opinion and WRO 2019-0148, including its underlying environmental review and the State Water Board’s

⁵ Available at: https://www.waterboards.ca.gov/waterrights/water_issues/programs/hearings/cachuma/feir/cachuma_feir_vol2.pdf.


conclusions regarding water quality impacts of the Project meant to be addressed by the Cachuma Project Settlement Agreement.

If these additional restrictions are not removed the Project, they represent a new impairment to water quality and possible injury to downstream water rights. To our knowledge, no evaluation whatsoever of the environmental impacts of adding such additional restrictions and making associated changes to Project's release operations has been performed, as would be necessary for the Project to comply with NEPA and CEQA, as applicable. CCWA's approval of the Project, along with the significant new additional unmitigated restrictions on mixing, would represent a substantial change to existing conditions and constitute a Project as defined by CEQA that may result in significant water quality impacts to downstream resources including groundwater in the Lompoc Plain Groundwater Basin; thus, a mitigated negative declaration or environmental impact report (or subsequent or supplemental EIR) would be required prior to consideration of Project approval. (Public Resources Code, § 21065; Cal Code Regs, § 15064.)

For the above reasons, the Parent District urges that Reclamation delete the additional restrictions on mixing from the Project. The Parent District does not support the Project with such additional restrictions for the reasons expressed herein. These additional restrictions will likely degrade water quality conditions downstream, without any environmental analysis (or mitigation) and at the worst possible time – during a multi-year drought emergency. All the while, downstream GSAs have to comply with SGMA including avoidance of undesirable results including significant and unreasonable degraded water quality. The Parent District also fears that modifying Cachuma Project operations so as to impair downstream water quality and possibly injure downstream water rights, contrary to the Cachuma Project Settlement Agreement, the Biological Opinion, WRO 2019-1048 and **Reclamation's water rights permits**, presents a significant risk of resumption of litigation and/or regulatory or administrative proceedings regarding the Project's impact on downstream water quality and water rights. This would be very unfortunate after decades were spent resolving disputes regarding Cachuma Project operations and on development of appropriate downstream release permits terms and conditions.

The Parent District recognizes the importance of and supports CCWA obtaining a temporary Warren Act Contract and has no desire to obstruct, complicate or delay that worthy endeavor. The simple solution here is to delete the additional restrictions on mixing from the Project, and if Reclamation desires to pursue them further, they should be considered and evaluated as part of the ongoing reinitiation of consultation as required by the federal Endangered Species Act.

Sincerely,



Kevin Walsh
General Manager

Ms. Rain L. Emerson, M.S.
April 22, 2022
Page 6

Cc: (Email only)

CCWA
Attn: Ray Stokes
RAS@ccwa.com

Ernest A. Conant, USBR, Regional Director
econant@usbr.gov

Michael Jackson, P.E., USBR, Area Manager
mjackson@usbr.gov

City of Lompoc
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Attn: Rose Hess
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City of Solvang
Attn: Xenia Bradford
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Improvement Dist. No. 1
Attn: Paeter Garcia
pgarcia@syrwd.org

Appendix B: Concurrence Letter from National Marine Fisheries Service



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
West Coast Region
501 West Ocean Boulevard, Suite 4200
Long Beach, California 90802-4250

June 13, 2022

Refer to NMFS No:
WCRO-2022-00071

Michael Jackson
U.S. Bureau of Reclamation
1243 N. Street
Fresno, California 93721-1813

Re: Endangered Species Act Section 7(a)(2) Concurrence Letter for the Proposed Issuance of a Temporary Warren Act Contract to the Central Coast Water Authority

Dear Mr. Jackson:

On June 2, 2022, NOAA's National Marine Fisheries Service (NMFS) received the U.S. Bureau of Reclamation's (Reclamation) request for written concurrence that proposed issuance of a temporary (not to exceed five years) Warren Act contract to the Central Coast Water Authority (CCWA) is not likely to adversely affect the endangered Southern California Distinct Population Segment (DPS) of steelhead (*Oncorhynchus mykiss*) and critical habitat for the species designated under the Endangered Species Act (ESA). This response to Reclamation's request was prepared by NMFS pursuant to section 7(a)(2) of the ESA and implementing regulations at 50 CFR 402.

This letter underwent pre-dissemination review using standards for utility, integrity, and objectivity in compliance with applicable guidelines issued under the Data Quality Act (section 515 of the Treasury and General Government Appropriations Act for Fiscal Year 2001, Public Law 106-554). The document will be available within two weeks at the Environmental Consultation Organizer [<https://eco.fisheries.noaa.gov>]. A complete record of this consultation is on file at the Southern California Branch of the California Coastal Office in Long Beach, California.

Consultation History

The proposed action is associated with Reclamation's Cachuma Project, specifically Bradbury Dam and Cachuma Reservoir on the Santa Ynez River. NMFS analyzed the potential effects of CCWA delivery of out-of-basin water from the State Water Project into Cachuma Reservoir and



the Santa Ynez River in a September 8, 2000, biological opinion (BiOp).¹ Potential incorrect olfactory imprinting in juvenile steelhead was identified as the principal potential adverse effect if out-of-basin water was released directly into the Santa Ynez River during the likely period of olfactory imprinting (i.e., November through June) when juvenile steelhead are preparing for or undertaking seaward migration. However, NMFS concluded risk of incorrect olfactory imprinting was remote because release of out-of-basin water into the Santa Ynez River was expected to generally avoid the principal period when juvenile steelhead undergo parr-smolt transformation and imprint on their natal river.

On June 26, 2020, Reclamation requested informal consultation regarding issuance of a temporary (five years) Warren Act contract for CCWA to continue delivery and distribution of State Water Project water under the presumption the existing 25-year contract would expire on July 25, 2020. NMFS concluded consultation with issuance of a letter on July 14, 2020, concurring with Reclamation's determination that the proposed action was not likely to adversely affect the Southern California DPS of steelhead and critical habitat designated for this species. However, on July 15, 2020, CCWA withdrew its request for a temporary contract upon realizing the existing contract with Reclamation would not expire until June 24, 2022, and instead requested that Reclamation focus on developing another 25-year contract. Negotiations for issuing a 25-year contract between CCWA and Reclamation remain incomplete.

Although Reclamation has reinitiated ESA section 7 consultation with NMFS on the operation and maintenance of the Cachuma Project, that consultation will not be completed before the existing Warren Act contract with CCWA expires on June 24, 2022.² Therefore, on March 30, 2022, Reclamation requested informal consultation regarding issuance of a temporary Warren Act contract for CCWA to continue delivery and distribution of State Water Project water into Cachuma Project facilities for up to five years.

Subsequent to the March 30, 2022, consultation request, Reclamation modified the proposed action based on their collaboration with local water purveyors associated with the Cachuma Project. Furthermore, during informal consultation our review of the scientific literature regarding olfactory imprinting in juvenile steelhead revealed information that does not support Reclamation's March 30, 2022, request for concurrence. We shared that information with Reclamation, which subsequently revised the proposed action and then sent us a new request dated June 2, 2022.

Proposed Action and Action Area

Reclamation proposes to issue a temporary Warren Act contract to CCWA, not to exceed five years. Under the terms of the contract, CCWA would introduce, store and convey up to 13,750

¹ A sub-element of Reclamation's proposed operation and maintenance of the Cachuma Project was annual delivery of up to 12,545 acre-feet of State Water Project water per year at a rate not to exceed 22 cfs into Cachuma Reservoir and the Santa Ynez River via the Bradbury Dam outlet works. The delivery of State Water Project water was under a Warren Act contract issued by Reclamation to CCWA in July 1995.

² NMFS is currently providing Reclamation technical assistance in discussions to assist Reclamation in developing a consultation request package with sufficient information to begin formal ESA consultation.

acre-feet of State Water Project water in Cachuma Project facilities at a rate of no more than 22 cubic feet per second. See Central Coast Water Authority Temporary Warren Act Contract—Biological Evaluation (Reclamation June 2, 2022) for a complete description of the proposed action.

Because State Water Project water released into the Santa Ynez River under the proposed action may flow from Bradbury Dam to the City of Lompoc (approximately 35 miles), the action area includes that 35-mile reach of the Santa Ynez River, as well as Cachuma Reservoir. Additionally, the transmission system for delivering water from Cachuma Reservoir for residential, agricultural and industrial purposes (i.e., Tecolote Tunnel and South Coast Conduit) is part of the action area. However, the existence, operation, and maintenance of this water-transmission system will continue regardless of the proposed action.

Release of State Water Project water into the Santa Ynez River below Bradbury Dam would only occur during June through November and only when Reclamation is releasing water from Bradbury Dam to support downstream water-right holders under the Water Resources Control Board's Water Order WR 89-18 and when surface water is discontinuous between the dam and the Santa Ynez River Lagoon. Because steelhead may be undergoing olfactory imprinting during June and November and exposure to out-of-basin water could result in incorrect olfactory imprinting, the proposed action precludes discharge of State Water Project water into the river during June and November if steelhead are observed to be present. Any State Water Project water released directly into the Santa Ynez River below Bradbury Dam would be mixed (diluted) with an equal or greater amount of water released from Cachuma Reservoir and the release would be conducted in a manner to ensure released water does not exceed 18°C.

Prior to discharge into Cachuma Reservoir or the Santa Ynez River, the water is chlorinated at the Polonio Pass Water Treatment Plant in San Luis Obispo and then dechlorinated at CCWA's Santa Ynez Pumping Facility using sodium bisulfite. The Santa Ynez Pumping Facility automatically halts water transmission if chlorine concentration exceeds 0.03 mg/L or residual sodium bisulfite concentration is ≤ 0.1 mg/L or > 1.0 mg/L. The purpose for retaining residual sodium bisulfite is to ensure no residual chlorine remains in CCWA water before it is discharged into Cachuma Reservoir or the Santa Ynez River.

We considered under the ESA whether the proposed action would cause any other activities and determined that it would not.

Background and Action Agency's Effects Determination

Reclamation determined the proposed action is not likely to adversely affect the endangered Southern California DPS of steelhead (71 FR 834; January 5, 2006) or critical habitat designated for this species (70 FR 52488; September 2, 2005). In general, the physical or biological features of designated critical habitat relevant to the action area are freshwater spawning sites, freshwater rearing sites, and freshwater migration corridors. Reclamation's determination was based on: (1) restricting the release of State Water Project water into the Santa Ynez River to times when steelhead are unlikely to be undergoing olfactory imprinting or otherwise not present, thus avoiding or minimizing potential for incorrect olfactory imprinting, and (2)

measures to ensure potential discharge of residual sodium bisulfite and ammonia would be at concentrations that would not adversely affect aquatic life including endangered steelhead.

Effects of the Action

Under the ESA, “effects of the action” are all consequences to listed species or critical habitat that are caused by the proposed action, including the consequences of other activities that are caused by the proposed action. A consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action (50 CFR 402.02). In our analysis, which describes the effects of the proposed action, we considered 50 CFR 402.17(a) and (b). When evaluating whether the proposed action is not likely to adversely affect listed species or critical habitat, NMFS considers whether the effects are expected to be completely beneficial, insignificant, or discountable. Completely beneficial effects are contemporaneous positive effects without any adverse effects to the species or critical habitat. Insignificant effects relate to the size of the impact and should never reach the scale where take occurs. Effects are considered discountable³ if they are extremely unlikely to occur.

The proposed action is similar to an action consulted on as part of the operation and maintenance of the Cachuma Project, which resulted in the September 8, 2000, BiOp and July 14, 2020, letter of concurrence that the proposed action may affect, but is not likely to adversely affect the endangered Southern California DPS of steelhead or critical habitat designated for this species. That is, CCWA would introduce, store, and convey State Water Project water through Cachuma Project facilities at a rate not to exceed 22 cfs. The proposed action subject to this consultation differs from that analyzed as part of the September 8, 2000, BiOp because the proposed action now excludes releasing CCWA water into the river during May and includes potential releases during November, and discloses potential discharge of residual sodium bisulfite and ammonia associated with the water-treatment process. It also includes a minor increase in potential annual water deliveries from a maximum of 12,545 acre-feet to a maximum of 13,750 acre-feet. The proposed action differs from that analyzed in the July 14, 2020, informal consultation by disclosing potential discharge of ammonia, reducing annual water deliveries from a maximum of 17,706 acre-feet to 13,750 acre-feet per year, and expanding the period for releasing State Water Project water into the river below the dam from July 1 through October 31 to June 1 through November 30.

Juvenile steelhead in the action area undergo olfactory imprinting principally in preparation and during their seaward migration, and potentially as alevins and emergent fry. This is expected to occur as early as November and continue into June. Discharging out-of-basin State Water Project water (Sacramento-San Joaquin River system) into the Santa Ynez River could cause incorrect olfactory imprinting. Incorrect olfactory imprinting may cause adult Santa Ynez River steelhead to not locate their natal river when returning to freshwater to spawn. However, the proposed action avoids or minimizes the likelihood of exposure to out-of-basin water when

³ When the terms “discountable” or “discountable effects” appear in this document, they refer to potential effects that are found to support a “not likely to adversely affect” conclusion because they are extremely unlikely to occur. The use of these terms should not be interpreted as having any meaning inconsistent with our regulatory definition of “effects of the action.”

steelhead are undergoing olfactory imprinting and long-term olfactory learning for returning to their natal river by not discharging State Water Project water into the river during December through May, and only discharging State Water Project water into the river in June and November when steelhead are not present. Therefore, the effect of incorrect olfactory imprinting is discountable.

Residual sodium bisulfite could be discharged into the Santa Ynez River, potentially exposing steelhead to this chemical. However, the concentration that sodium bisulfite would be discharged from CCWA's pipeline (sodium bisulfite ≤ 1 mg/L) is considered non-toxic to aquatic life (Basu & Dorner 2010).⁴ Adverse effects, including death, to stream fishes has been observed during exposure to a high-concentration release of sodium bisulfite, attributed to sudden reduction of dissolved oxygen in the water. Ryon et al. (2002)⁵ concluded instream concentrations of sodium bisulfite equal to or exceeding about 39 mg/L may reduce dissolved oxygen sufficient to kill fish. This amount is about 40 times the concentration in the water that may be delivered under the proposed action. Furthermore, the concentration of sodium bisulfite potentially delivered under the proposed action would be diluted by a factor of 0.5 or more before being discharged into the Santa Ynez River, likely rendering it undetectable. Therefore, the effects of discharging residual sodium bisulfite under the proposed action are insignificant.

Water discharged from the CCWA pipeline into the Santa Ynez River could contain ammonia, potentially exposing steelhead to this chemical. However, measured concentrations of total ammonia⁶ in water discharged from CCWA's pipeline (≤ 0.14 mg/L) are less than the amount EPA (2013)⁷ concluded is protective of ESA-listed salmonids, including steelhead; that is, acute toxicity criteria (1-hour average) 17 mg/L and chronic toxicity criteria (30-day rolling average) 1.9 mg/L. EPA (2013) reports the mean acute (SMAV)⁸ and chronic (SMCV)⁹ total ammonia toxicity values for *O. mykiss* as 82.88 mg/L and 6.663 mg/L, respectively, normalized for water pH 7.0 and temperature 20° C. Furthermore, the concentration of ammonia potentially delivered under the proposed action would be diluted by a factor of 0.5 or more before discharging into the Santa Ynez River. Consequently, this reduces the observed concentration levels to between 0 and 0.07 mg/L, which are nearly two orders of magnitude less than the EPA calculated chronic toxicity value for *O. mykiss* and below the minimum effects concentrations reported in NMFS (2017)¹⁰ for behavioral (0.4 mg/L, 4.8-hour exposure), growth (0.3 mg/L, 120-day exposure),

⁴ Onita D. Basu and Sarah M. Dorner. 2010. Potential Aquatic Health Impacts of Selected Dechlorination Chemicals. Water Quality Research Journal of Canada. Vol. 45, No. 3.

⁵ Michael G. Ryon, Arthur J. Stewert, Lynn A. Kszos, Terry L. Phipps. 2002. Impacts on Streams from the Use of Sulfur-Based Compounds for Dechlorinating Industrial Effluents. Water Air and Soil Pollution. May 2002.

⁶ Total ammonia refers to the combined concentration of the ionized (NH_4^+) and un-ionized (NH_3) forms.

⁷ U.S. Environmental Protection Agency. 2013. Aquatic Life Ambient Water Quality Criteria For Ammonia – Freshwater. EPA-822-R-13-001. April 2013.

⁸ *Species Mean Acute Value* (SMAV) is the geometric mean of the results of all acceptable flow-through acute toxicity tests (for which the concentrations of the test material were measured) with the most sensitive tested life stage of the species. 40 CFR 132.2.

⁹ *Species Mean Chronic Value* (SMCV) is the geometric mean of the results of all acceptable life-cycle and partial life-cycle toxicity tests with the species; for a species of fish for which no such result is available, the SMCV is the geometric mean of all acceptable early life-stage tests.

¹⁰ NOAA's National Marine Fisheries Service. 2017. Endangered Species Act Section 7(a)(2) Biological Opinion, and Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Response for Renewing the Operating License for the Columbia Generating Station, Richland, Washington. March 10, 2017.

and physiological (0.23, 42-day exposure) effects. Therefore, the effects of discharging ammonia under the proposed action are insignificant.

The aforementioned effects of the proposed action on steelhead also regard physical or biological features of designated critical habitat for this species (i.e., freshwater spawning sites, freshwater rearing sites and freshwater migration corridor). Based on the discussion above regarding the potential effects of the proposed action on steelhead, the effects of the proposed action on physical or biological features of critical habitat for this species are insignificant.

Conclusion

Based on this analysis, NMFS concurs with Reclamation that the proposed action is not likely to adversely affect the subject listed species and critical habitat designated for this species.

Reinitiation of Consultation

Reinitiation of consultation is required and shall be requested by Reclamation or by NMFS, where discretionary Federal involvement or control over the action has been retained or is authorized by law and (1) the proposed action causes take; (2) new information reveals effects of the action that may affect listed species or critical habitat in a manner or to an extent not previously considered; (3) the identified action is subsequently modified in a manner that causes an effect to the listed species or critical habitat that was not considered in the written concurrence; or (4) a new species is listed or critical habitat designated that may be affected by the identified action (50 CFR 402.16). This concludes the ESA consultation.

Please direct a question regarding this letter to Darren Brumback at (562) 980-4060 or Darren.Brumback@noaa.gov.



Branch

cc: David Hyatt, U.S. Bureau of Reclamation
Lisa Buck, U.S. Bureau of Reclamation
Copy to E-File: FRN 151422WCR2022CC00071



— BUREAU OF —
RECLAMATION

Central Coast Water Authority Temporary Warren Act Contract

**Finding of No Significant Impact
CGB-FONSI-2022-023**

Mission Statements

The U.S. Department of the Interior protects and manages the Nation's natural resources and cultural heritage; provides scientific and other information about those resources; and honors its trust responsibilities or special commitments to American Indians, Alaska Natives, and affiliated Island Communities.

The mission of the Bureau of Reclamation is to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public.

BUREAU OF RECLAMATION
South-Central California Area Office, Fresno, California

CGB-FONSI-2022-023

**Central Coast Water Authority Temporary Warren
Act Contract**

RAIN Digitally signed by RAIN
EMERSON EMERSON
Date: 2022.06.14
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Concurred by: Rain L. Emerson
Environmental Compliance Branch Chief

LISA BUCK Digitally signed by LISA
BUCK
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Concurred by: Lisa Buck
Wildlife Biologist

MICHAEL Digitally signed by
JACKSON MICHAEL JACKSON
Date: 2022.06.14
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Approved by: Michael P. Jackson, P.E.
Area Manager

Introduction

In accordance with the National Environmental Policy Act (NEPA) of 1969, as amended, the Bureau of Reclamation (Reclamation) prepared this Finding of No Significant Impact (FONSI) which is supported by Reclamation's attached Environmental Assessment (EA) CGB-EA-2022-023, *Central Coast Water Authority Temporary Warren Act Contract*, hereby incorporated by reference.

Background

Central Coast Water Authority (CCWA) is a California Joint Powers Agency that was formed in 1991 to construct necessary facilities to deliver supplemental water supplies from the State Water Project (SWP) to the communities in San Luis Obispo and Santa Barbara Counties. The SWP Coastal Branch facilities were completed in 1997.

In 1994, Reclamation released an EA that analyzed the construction of an extension of the SWP Coastal Branch that would allow the annual introduction through issuance of a long-term Warren Act Contract¹ of SWP water into the Cachuma Project facilities for delivery to CCWA's South Coast Participants². A Finding of No significant Impact was issued on January 3, 1995.

In 1995, Reclamation issued a 25-year Warren Act contract to CCWA that allowed the annual introduction, storage, and conveyance of up to 13,750 acre-feet (AF) of water acquired by or available to CCWA from or through the SWP into Cachuma Project facilities for delivery to the South Coast Participants for municipal and industrial uses. Introductions of SWP water under the 1995 Warren Act contract began in 1997.

Prior to entering Lake Cachuma, the treated water is dechlorinated at the Santa Ynez Pumping Facility located near the town of Santa Ynez. After being delivered to Lake Cachuma, CCWA water supplies are delivered to the South Coast via the Tecolote Tunnel and the South Coast Conduit. CCWA water is delivered to the Santa Ynez River Water Conservation District Improvement District No.1 (ID No.1) directly from a connection to the SWP pipeline before it reaches the Santa Ynez Pumping Facility.

CCWA's water is treated at the Polonio Pass Water Treatment Plant in San Luis Obispo County and then dechlorinated at CCWA's Santa Ynez Pumping Facility near the town of Santa Ynez using sodium bisulfite prior to its introduction into Lake Cachuma. Built-in safety systems automatically shut off the pumps of the Santa Ynez Pumping Facility if sodium bisulfite residual levels fall below 0.1 mg/L or above 1 mg/L protecting water quality in Lake Cachuma and the Lower Santa Ynez River³.

¹ A contract that allows non-Reclamation Project water to be introduced into Reclamation facilities.

² CCWA's South Coast Participants include: Carpinteria Valley Water District, the City of Santa Barbara, Goleta Water District, Montecito Water District, La Cumbre Mutual Water, Raytheon Systems Co. and Morehart Land Co.

³ A detectable concentration of Sodium Bisulfite is needed to confirm the water has been fully dechlorinated. CCWA also monitors for chlorine concentrations and its pumping plant will shut down if chlorine concentrations are detected, a further mechanism for protecting water quality in Lake Cachuma.

CCWA water has been and continues to be a much-needed supplemental water supply for the water deficient South Coast especially during drought conditions. As the existing Warren Act Contract expires in June 2022, CCWA has requested a new short-term Warren Act Contract to continue the introductions, conveyance, and storage of non-Reclamation Project water into Cachuma Project facilities for delivery to the CCWA's South Coast Participants. Reclamation and CCWA are in the process of negotiating a new long-term Warren Act Contract. In addition, Reclamation is currently in re-consultation with the National Marine Fisheries Service (NMFS) under the Endangered Species Act (ESA) regarding operation and maintenance of the Cachuma Project. As negotiations for the long-term Warren Act contract and re-consultation on the Cachuma Project are not anticipated to be complete by June 2022, CCWA and Reclamation need to enter into a short-term contract to allow the continued delivery of a much-needed water supply to the South Coast Participants.

Alternatives Considered

No Action Alternative

Under the No Action Alternative Reclamation would not issue short-term Warren Act Contract(s) to CCWA for the annual introduction, conveyance, and storage of up to 13,750 AF of CCWA water within Cachuma Project facilities.

Proposed Action

Reclamation proposes to issue short-term (up to five-years) Warren Act Contract(s) to CCWA that would allow the annual introduction, conveyance, and storage of up to 13,750 AF of CCWA's water within Cachuma Project facilities.

Measures to avoid and minimize effects to the endangered Southern California steelhead Distinct Population Segment (DPS; *Oncorhynchus mykiss*) have been, and will continue to be, implemented during CCWA operations. Measures are primarily related to preventing steelhead from imprinting on CCWA water and preventing CCWA water from being released to Hilton Creek. Reclamation proposes to implement the following:

- Releases of CCWA water to the Santa Ynez River mainstem may not occur during December through May.
- Releases of CCWA water to the Santa Ynez River mainstem may only occur during Water Right (WR) 89-18 water right releases when flow is discontinuous in the mainstem, primarily between July to October.
- During June and November CCWA water may be introduced into the Lower Santa Ynez River only when: (1) *O. mykiss* are not present based on snorkel and trapping surveys conducted under WR 89-18 water rights release monitoring pursuant to technical sessions with NMFS regarding Reasonable and Prudent Measure 6 of the 2000 *Biological Opinion for the Operation and Maintenance of the Cachuma Project* (2000 BiOp) and (2) no rain is predicted for at

least 14 days. Two traps would be operated in the Lower Santa Ynez River, with one located near the confluence of Hilton Creek and the river and the other located further downstream (e.g., Meadowlark crossing). Releases of blended CCWA water to the Lower Santa Ynez River in June and November would cease immediately if any *O. mykiss* are caught in the traps, or observed during the snorkel surveys.

- CCWA water may be mixed up to 50 percent of the total rate of releases to the Lower Santa Ynez River.
- CCWA and Lake Cachuma water entering the Stilling Basin would be blended to a temperature of $\leq 18^{\circ}\text{C}$, as estimated pursuant to the Penstock Temperature Monitoring Plan.
- There is no delivery of CCWA water into Lake Cachuma via the outlet works when the Hilton Creek Emergency Backup System (EBS) is delivering water.
- There will be no delivery of CCWA water via the outlet works when the lake-based Hilton Creek Watering System Pumping Platform is in operation or the EBS is set to stand-by mode to deliver water to Hilton Creek.

CCWA water includes SWP water from the Sacramento River watershed, previously banked SWP water, and other non-SWP water supplies acquired from the Sacramento River watershed, the San Joaquin River watershed, and the San Joaquin-Sacramento Delta. CCWA's acquired non-SWP water supplies can include groundwater pumping, groundwater substitution, land fallowing, or other transfers and exchanges that are common in Reclamation's Central Valley Project and the SWP. The conveyance of non-SWP water supplies through the SWP are reviewed and approved independently by the California Department of Water Resources (DWR) prior to this water being conveyed in State facilities to CCWA's facilities. Prior to introduction into Cachuma Project facilities, CCWA's water will continue to be treated as done under baseline conditions.

Under the short-term Warren Act Contract(s), CCWA water would continue to be introduced and conveyed through Cachuma Project facilities (i.e., Bradbury Dam outlet works, Stilling Basin, Lake Cachuma, North Intake of the Tecolote Tunnel, and the South Coast Conduit) to CCWA South Coast Participants located along the South Coast Conduit.

No modifications to existing infrastructure or construction would be needed for the Proposed Action.

Mechanisms of CCWA Water Introduction to the Cachuma Project

There are two existing mechanisms for the introduction of CCWA water into Lake Cachuma: (1) a direct connection of the CCWA pipeline to the Bradbury Dam outlet works penstock; and (2) a high-density polyethylene penstock bypass pipeline (bypass pipeline) that introduces CCWA water directly into Lake Cachuma⁴. These mechanisms would remain unchanged under the proposed action.

⁴ The bypass pipeline has been routed previously in three configurations: bypass pipeline through the spillway onto the bedrock shelf (used when lake levels are low and bedrock shelf is exposed), bypass pipeline to the spillway gate threshold (used when the bedrock shelf is submerged and lake level is below the spillway gate threshold) and bypass pipeline over the top of the dam (used when lake level is above the threshold of the spillway gate).

When releases from the outlet works occur at the same time as CCWA water is being introduced through the outlet works, CCWA water mixes with water from Lake Cachuma and is released into the Stilling Basin where it flows into the Lower Santa Ynez River. This mixing of CCWA water has certain advantages to downstream entities for enhancing water quality (i.e., reduced total dissolved solids) and the Cachuma Project Member Units⁵, Santa Ynez River Water Conservation District (SYRWCD), and the City of Lompoc entered into a Settlement Agreement in September 2002 to maximize introduction of CCWA water during their Water Rights Releases⁶ from the outlet works. The 2002 Settlement Agreement has been incorporated into Cachuma Project WR Order 2019-0148 (WR 2019-0148).

CCWA water may be introduced to Lake Cachuma or the Lower Santa Ynez River at rates ranging from 3 cubic feet per second (cfs) up to 22 cfs, as limited by the capacity of the four pumps at CCWA's Santa Ynez Pumping Facility. Three of the four pumps operate only at 100 percent, while the remaining pump has a variable frequency drive which allows for any flow rate from 3 to 22 cfs. Operation of the Santa Ynez Pumping Facility is variable, but in general the Pumping Facility operates minimally when Lake Cachuma is full and may operate at maximum capacity for extended periods of time during drought conditions.

When Reclamation is releasing water from the outlet works at Bradbury Dam, and CCWA is delivering CCWA water to Lake Cachuma, commingled water will be released to the Lower Santa Ynez River pursuant to the measures noted in Section 2.2 above. When Reclamation is releasing water from the EBS, CCWA water will not be introduced into the outlet works as the EBS is plumbed into the outlet works.

Temperature monitoring sensors and related equipment in the penstock at the Bradbury Dam outlet works and in the CCWA pipeline collect and transmit data to both CCWA and Reclamation's Supervisory Control and Data Acquisition (SCADA) System.

The system uses a flow weighted average of lake water temperature and CCWA water temperature to calculate an estimate of the blended temperature of water releases to the Stilling Basin. These calculations are done continuously using a programmable logic controller at a set frequency of once every 1-15 minutes. The Cachuma Operation and Maintenance Board (COMB) and Reclamation monitor the temperature of CCWA water and water in the penstock, and there is a SCADA alarm set to alert CCWA and Reclamation when the temperature of blended water is approaching a certain threshold below 18°C. When the temperature of blended water is approaching the 18°C-temperature limit for steelhead, Reclamation will immediately reduce or suspend delivery of CCWA water or increase delivery of Cachuma Lake water to avoid exceeding the 18°C-temperature limit.

CCWA Water Treatment

Prior to its introduction into Lake Cachuma, CCWA water is treated in CCWA's Polonio Pass Water Treatment Plant in San Luis Obispo County to applicable drinking water standards. This treatment process includes adding chloramine (a mix of chlorine and ammonia) to the water. From the

⁵ Cachuma Project Member Units include Carpinteria Water District, City of Santa Barbara, Goleta Water District, Montecito Water District, and Santa Ynez River Water Conservation District Improvement District No. 1.

⁶ Non-discretionary Water Rights Releases have occurred since the completion of Bradbury Dam. These releases are made in accordance with State Water Resources Control Board permits 11308 and 11310 issued to Reclamation for the Cachuma Project, as conditioned by WR Order 73-37, as amended by WR Order 89-18, and WR Order 2019-0148.

Polonio Pass Water Treatment Plant, CCWA's water is conveyed to the Santa Ynez Pumping Facility where it is treated with sodium bisulfite to remove the chloramine before the water is conveyed to Bradbury Dam for introduction into Cachuma Project facilities.

Built-in safety systems at the Santa Ynez Pumping Facility automatically shut off the pumps if a chlorine concentration ≥ 0.03 mg/L is detected, or if residual sodium bisulfite concentrations drop to 0.1 mg/L or rise above 1 mg/L. Slightly more sodium bisulfite is added to the water than needed to completely neutralize the chlorine, which results in a small amount of unreacted sodium bisulfite left in the water (i.e. >0.1 mg/L and ≤ 1 mg/L). Based on the chemistry of the chemical reaction between sodium bisulfite and chloramine, as long as there is a detectable sodium bisulfite concentration in the water there is no free chlorine left in the water (i.e., chlorine residual is 0 mg/L).

Free ammonia is a byproduct of the sodium bisulfite water treatment process. A study conducted by CCWA that tracked the fate of free ammonia through the eight-mile pipeline that runs from the Santa Ynez Pumping Facility to Lake Cachuma found that only small concentrations of free ammonia reach Lake Cachuma. Samples collected at the Lake Cachuma delivery point over the 12-month study period (2016 to 2017) had free ammonia concentrations ranging from 0 mg/L to 0.14 mg/L with an average concentration of 0.04 mg/L. This represents an average removal efficiency of over 90 percent from the average free ammonia concentrations measured at the outlet vault of the Santa Ynez Pumping Facility.

Comments on the EA

Reclamation provided the public with an opportunity to comment on the Draft EA between March 25, 2022 and April 22, 2022. One comment letter was received from the SYRWCD and it is included in Appendix A of the Final EA. The comment letter includes two primary assertions (1) Reclamation did not notify the SYRWCD of release of the EA or provide the biological evaluation as part of the release for public review, and (2) that the Draft EA Proposed Action included additional restrictions on the mixing of CCWA water with WR 89-18 water rights releases that are contrary to the 2002 Settlement Agreement, 2000 BiOp, WR 2019-0148, and Reclamation's water rights permits. Reclamation disagrees with both assertions.

For the first assertion, notification of the availability of the Draft EA was provided to the public on the day it was released. In addition, Section 3.2 of the Draft EA included the analysis that was included in the biological evaluation referenced in the comment letter. Further, Reclamation has ongoing biweekly coordination meetings with the Cachuma Project interested parties, including SYRWCD. Prior to release of the Draft EA, Reclamation discussed CCWA's short-term Warren Act contract, the Draft EA, and the informal consultation that would be needed for the Proposed Action during several of the coordination calls. Reclamation provided CCWA with an administrative draft of the EA prior to its release and was notified by CCWA that it was shared with its South Coast Participants and the SYRWCD prior to its release for public review.

For the second assertion, the restrictions included in the Draft EA were consistent with the 2000 BiOp and were not additional restrictions. Those restrictions were analyzed in the 2000 BiOp and

are therefore consistent with WR 2019-0148 and the 2002 Settlement Agreement which requires mixing to be consistent with the 2000 BiOp. Specifically, page 11 of the 2000 BiOp states: “Releases of CCWA water to the mainstem would only occur during water rights releases from May to October, with the bulk of releases occurring July - September.” Reclamation attempted to address previously noted confusion in mixing requirements from the 2000 BiOp to expressly state when mixing is allowed. As noted in Section 1.2 of the EA, the current CCWA long-term Warren Act Contract expires in June 2022. The short-term Warren Act Contract analyzed in the EA is a separate action not covered in the 2000 BiOp.

Since release of the Draft EA, the Proposed Action has been revised in coordination and cooperation with SYRWCD and the Cachuma Project local interests, all of whom provided helpful information to address some of the concerns expressed by SYRWCD in their comment letter. The Proposed Action was also revised in coordination with NMFS to address concerns expressed during informal consultation regarding the timing of *O. mykiss* olfactory imprinting in the Lower Santa Ynez River. The revisions are included in Section 2.2 of the Final EA and the concurrence memorandum received from NMFS for the Proposed Action (Appendix B of the Final EA).

Findings

Reclamation consulted with NMFS regarding potential impacts from the Proposed Action on the federally endangered Southern California steelhead DPS and its critical habitat. On June 13, 2022, NMFS concurred with Reclamation’s determination that the Proposed Action is *Not Likely to Adversely Affect* the endangered Southern California steelhead DPS or its designated critical habitat (Appendix B of the Final EA). Reclamation has also determined that the Proposed Action would have *No Effect* to any other proposed or listed species or critical habitat under the ESA (16 U.S.C. §1531 et seq.), and would not result in take of birds protected under the Migratory Bird Treaty Act (16 U.S.C. §703 et seq.).

Reclamation has determined that the Proposed Action has no potential to cause effects to historic properties pursuant to 36 CFR Part 800.3(a)(1).

In accordance with NEPA, Reclamation considered potential short-term and long-term effects of the Proposed Action, both beneficial and adverse. Following are the reasons why the impacts of the Proposed Action are not significant, with respect to the affected environment and degree of effects of the action (40 CFR 1501.3(b)).

1. The Proposed Action will not significantly affect public health or safety (40 CFR 1501.3(b)(2)(iii)).
2. The Proposed Action will not violate federal, state, tribal, or local law protecting the environment (40 CFR 1501.3(b)(2)(iv)).
3. The Proposed Action will not affect any Indian Trust Assets (512 DM 2, Policy Memorandum – July 2, 1993).
4. Implementing the Proposed Action will not disproportionately affect minorities or low-income populations and communities (EO 12898 – February 11, 1994).

5. The Proposed Action will not limit access to, and ceremonial use of, Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (EO 13007 – May 24, 1996 and 512 DM 3 – June 5, 1998).

Tom Fayram, President
Brad Ross, Vice-President
Mike Arme, Director
Brian O'Neill, Director
Lisa Palmer, Director



**LOS OLIVOS COMMUNITY SERVICES DISTRICT
REGULAR MEETING**

Posted: 6-3-2022

June 8, 2022, 6:00 PM

Please observe decorum and instructions from the President

This meeting will be held both in-person and electronically via Zoom meetings. In-person the meeting will be held at the following location: St Mark's in the Valley Episcopal Church, Stacy Hall - 2901 Nojoqui Ave, Los Olivos CA 93441

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

On Zoom:

<https://us06web.zoom.us/j/89407884419?pwd=QmVUVUMwK2xqSWpoY2pteTJDY0xqUT09>

By Phone:

+1 669 900 6833 US (San Jose)

Meeting ID: 894 0788 4419

Passcode: 208251

One tap mobile: +16699006833,,89407884419#,,,,*208251# US (San Jose)

MEETING AGENDA

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. PUBLIC COMMENTS

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

5. DIRECTOR COMMENTS

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

6. GENERAL MANAGER AND DISTRICT ENGINEER COMMENTS

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

7. ADMINISTRATIVE AGENDA

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

A. APPROVAL OF MEETING MINUTES

Regular Meeting Minutes of April 13, 2022.

Regular Meeting Minutes of May 11, 2022.

Workshop Minutes of May 11, 2022.

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

losolivoscsd@gmail.com, www.losolivoscsd.com

B. REVIEW AND APPROVE PAYMENT OF INVOICES RECEIVED BY MAY 31, 2022.

No.	Invoice Date	Invoice #	Provider	Amount
1	May 13, 2022	00876.001-14	GSI Water Solutions, Inc. – Groundwater Quality Management Services	\$1,838.75
2	May 14, 2022	67767	Aleshire & Wynder – Legal Services	\$3,960.00
3	May 17, 2022	1922529	Stantec – Design & Loading Study	\$21,398.75
4	May 31, 2022	220531	Savage – GM Services	\$5,400.00

8. BUSINESS ITEMS

A. FY 2022-23 BUDGET

Review the Finance Committee’s recommended proposed Budget for FY 2022-23 (see packet) and direct the GM to: (1) set the Public Hearing for the FY 2022-23 Budget for July 13, 2022 and (2) post all applicable notices in a timely manner.

9. ADJOURNMENT

It is the intention of the Board to adjourn the Regular meeting and convene a Workshop related to wastewater treatment and alternative approaches to traditional wastewater treatment.

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

Tom Fayram, President
Brad Ross, Vice-President
Mike Arme, Director
Brian O'Neill, Director
Lisa Palmer, Director



**LOS OLIVOS COMMUNITY SERVICES DISTRICT
WASTEWATER TREATMENT WORKSHOP
June 8, 2022, 6:30 PM
(or immediately after the June 8, 2022 Regular Meeting)
Please observe decorum and instructions from the President**

Posted: 6-3-2022

This meeting will be held both in-person and electronically via Zoom meetings. In-person the meeting will be held at the following location: St Mark's in the Valley Episcopal Church, Stacy Hall - 2901 Nojoqui Ave, Los Olivos CA 93441
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On Zoom:

<https://us06web.zoom.us/j/89407884419?pwd=QmVUVUMwK2xqSWpoY2pteTjDY0xaUT09>

By Phone:

+1 669 900 6833 US (San Jose)

Meeting ID: 894 0788 4419

Passcode: 208251

One tap mobile: +16699006833,,89407884419#,,,,*208251# US (San Jose)

WORKSHOP AGENDA

1. CALL TO ORDER

2. PUBLIC COMMENTS

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

3. WORKSHOP

Presentations will be made by the General Manager, Steve Braband (BIOSOLUTIONS INCORPORATED), and Nick Weigel (NorthStar Engineering). A question-and-answer period will follow.
Direction from the Board may be provided; but, no action will be taken.

4. ADJOURNMENT

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

Los Olivos Community Services District

Guy Savage
General Manager





Very Brief History

- Special Problems Area designation 1974
- District formed in January 2018 by voters
 - 73% in favor of formation
 - Ensures local control
- If we didn't form, County (or State) will build a sewer or require connection to another facility. Doing nothing is not an option.
- For more details, read what's on the website:
www.LosOlivosCSD.com



THE DISTRICT

~392 Parcels
~52 downtown
~340 residential



Why All The Studies?

Understand

- Costs
- Constraints
- Issues

Basis for making decisions

What Studies are Underway?



Stantec – Design of Gravity Fed Sewer / Loading Study

- 30% design in June/July

GSI/Confluence – Effluent Disposal Options

- September?

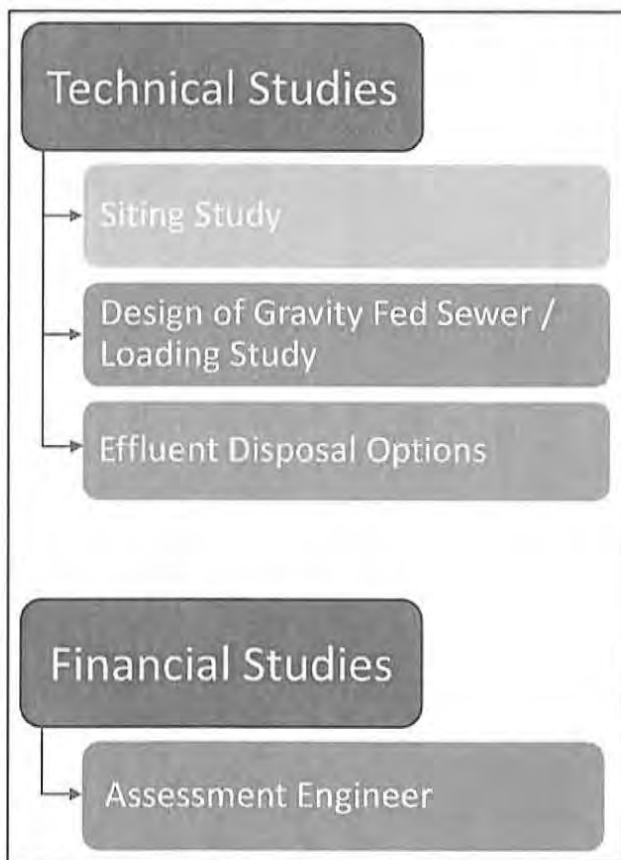
NV5 – Assessment Engineer

- September?

GSI – Monitoring Well(s)

- First well this summer

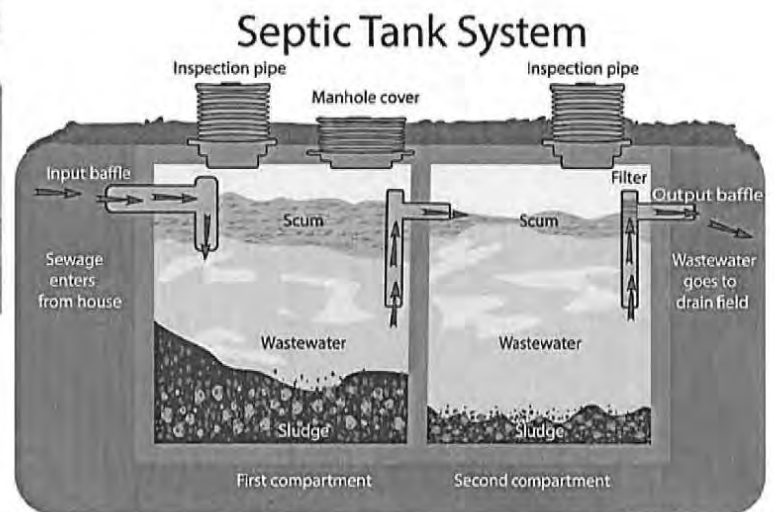
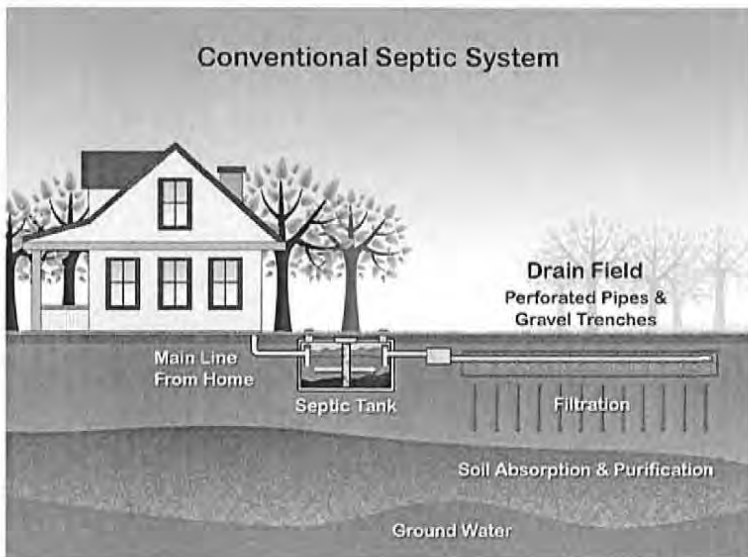
How Does It Fit Together?




Discussion
and
Decisions


Vote

Septic System



Alternatives to Septic Systems



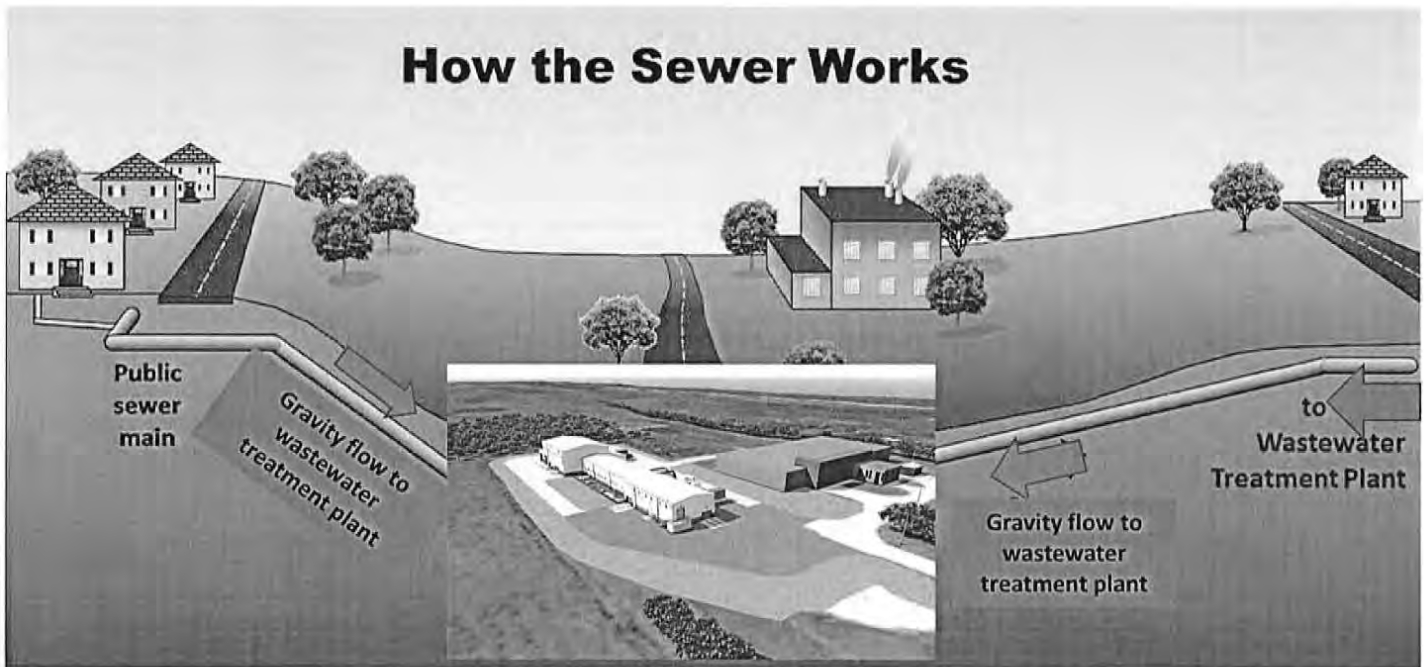
Traditional gravity sewer

Advanced onsite systems (aka full treatment onsite)

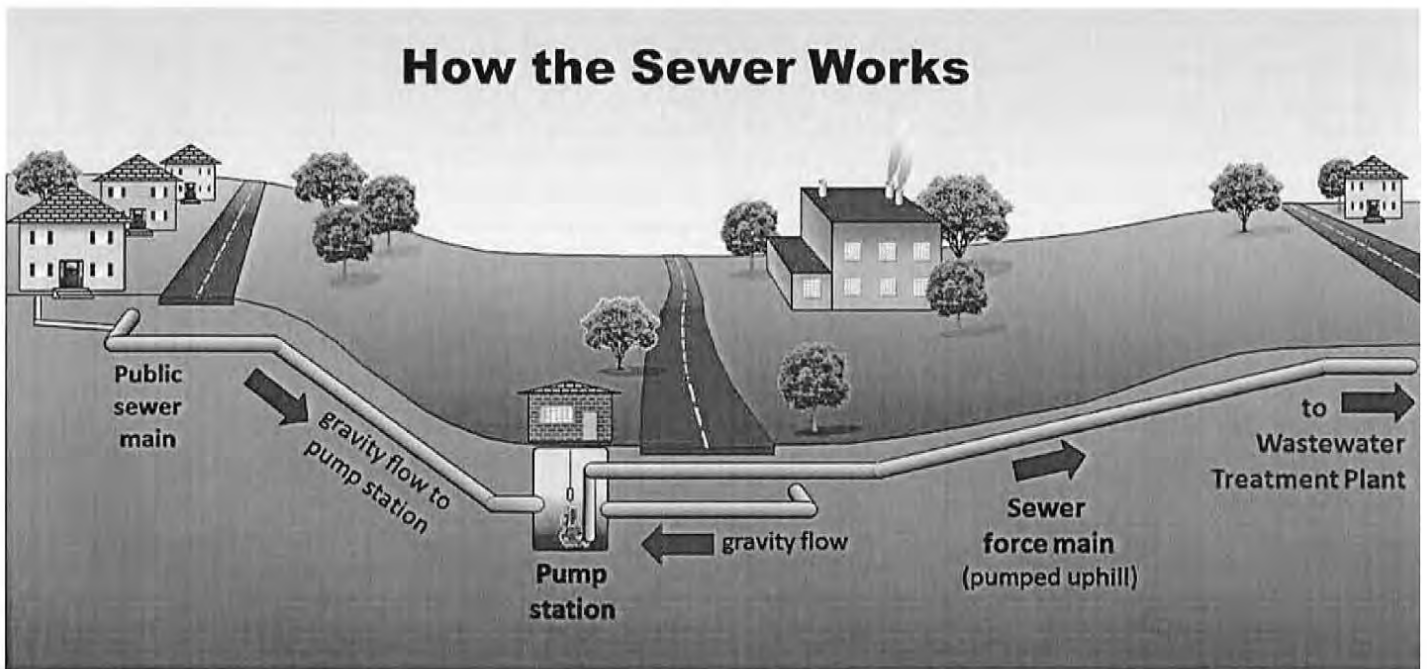
Septic Tank Effluent Pump (STEP)

Grinder and pump systems

Traditional Gravity Sewer (no pump station)



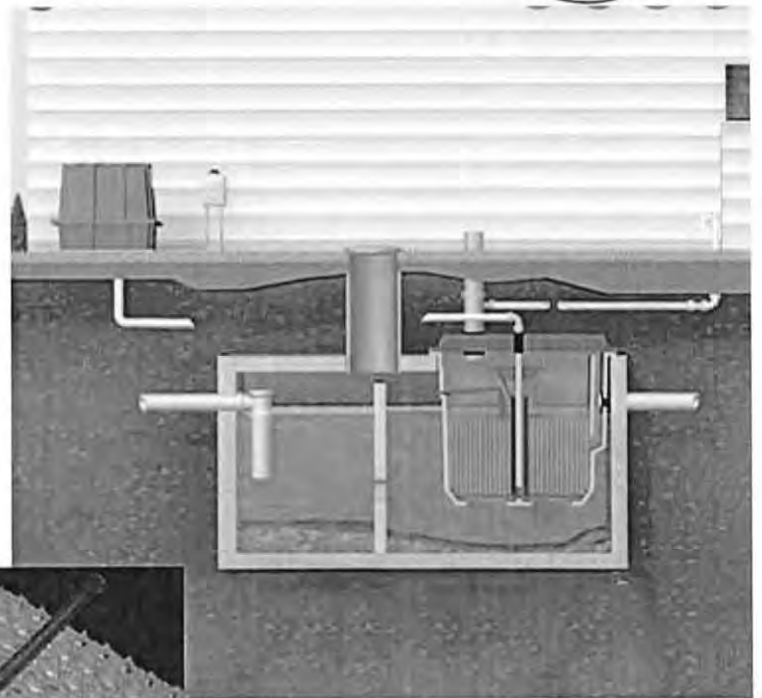
Traditional Gravity Sewer





Advanced Onsite Systems

Treatment sewage beyond the secondary or biological water treatment stage and includes the removal of nutrients, such as nitrogen and phosphorus and a high percentage of suspended solids



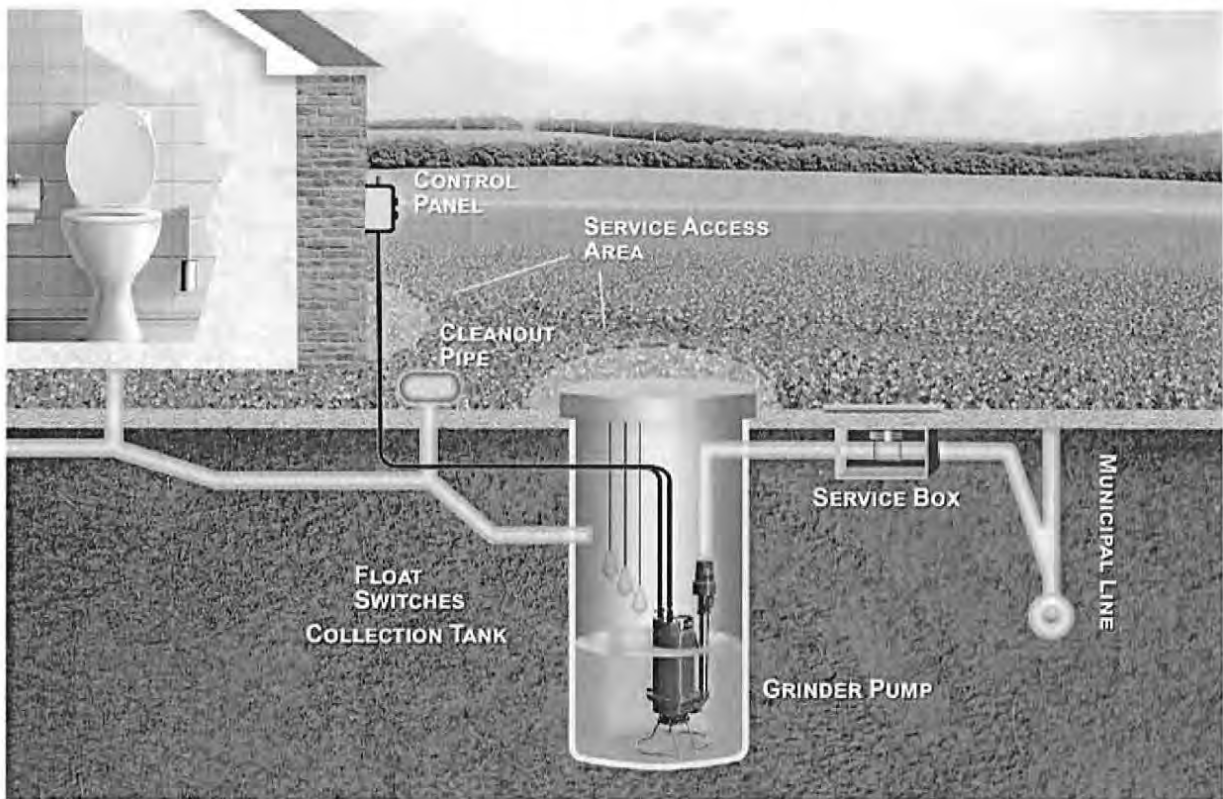
Septic Tank Effluent Pump (STEP) Systems



- No leach field
- Pumps transfer effluent from septic tanks to a collection and processing plant



Grinder and Pump Systems



Not covered in LOWMP – there are better solutions for our situation

What About Other Alternatives?



- Workshop tonight to provide more details on solutions other than traditional gravity wastewater treatment systems, or that might work in conjunction with traditional systems
- Future workshop to cover Membrane Bioreactor (MBR) systems in more detail, answer other questions

Monthly Briefing

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

Western Drought Impacts Every American

House Committee on Natural Resources Ranking Member Bruce Westerman (R-Ark.) last month led a Republican forum titled "How Western Drought Affects Every American." The Family Farm Alliance and several of its members and allies also testified remotely at the May 11 event.

"While much of the West continues to suffer through a multi-year drought, Americans nationwide are experiencing record food prices due to drought and other factors," said Rep. Westerman. "American consumers depend on food produced from irrigated agriculture, especially in California, which normally yields the majority of fruits, vegetables and nuts that are sold domestically at American grocery stores and serve as valuable commodities in international markets."

Another Year of "Unprecedented Drought"

At a time when Western water projects typically begin diversions, allowing delivery canals to charge and bringing essential water supplies to the headgates of thousands of farmers and ranchers, crushing drought conditions are leaving millions of acres of productive farm and ranch land without water this spring.

"Many of our farmers and ranchers this year are going to be hit hard by this 'unprecedented' drought, the second straight year we've used the term 'unprecedented' when describing the Western drought," said Alliance Executive Director

Dan Keppen at the Western drought forum.

Water users in nearly every region of the West are scrambling, looking for creative ways to stretch scant water supplies. In mountain watershed areas from the Sierra Nevada to the Rockies, the driest of conditions have prevailed. Forecasting has been an incredible challenge, and much of what runoff there has been, has been consumed by dry upstream soils.

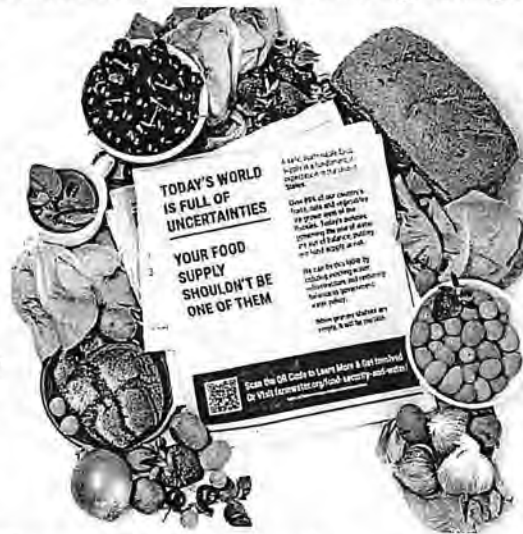
"These severe drought conditions, coupled with the arid nature of many parts of the West, again make for a trying, shortened water year," said Alliance President Pat O'Toole.

Dire challenges are being faced by agricultural water users in California's Central Valley, the Klamath Basin, the Columbia River Basin and its tributaries in Idaho, Oregon and Washington, the Rogue River Basin in southern Oregon, the Colorado River watershed, and the Great Basin.

sin.

California Governor Gavin Newsome warned that the state could enact mandatory water restrictions to combat the current drought if conservation efforts at the local level do not result in significant statewide water reduction over the summer.

"Every water agency across the state needs to take more aggressive actions to communicate about the drought emergency and implement conservation measures," Gov. Newsom said on May 23rd. "Californians made significant changes since the last drought, but we have seen an uptick in water



Continued on Page 2

STORIES INSIDE.....

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Unprecedented Drought (Cont'd from Pg. 1)

use, especially as we enter the summer months. We all have to be more thoughtful about how to make every drop count."

The water level in Lake Mead — the nation's largest reservoir — dropped below 1,050 feet elevation for the first time last month, a critical milestone that signals more stringent water cuts are around the corner for water users dependent on the Colorado River.

In April, with approval from Idaho Governor Brad Little (R), the Idaho Department of Water Resources (IDWR) is-

sued an emergency drought declaration for southern Idaho. That same month, New Mexico Governor Michelle Lujan Grisham (D) : 1) declared a statewide emergency for severe drought and fire conditions; 2) submitted a request for a Presidential Disaster Declaration through the Federal Emergency Management Agency; and 3) applied for a hazard mitigation assistance grant.

"The state has aggressively pursued a Presidential Disaster Declaration for New Mexico, using every available tool and technology to document the damage that we know New Mexico communities have sustained and are still experiencing in order to expedite the process," the governor said in a press statement.

Utah and portions of California, Oregon and Washington were also declared as drought disaster areas earlier this year.

Although details vary by region, the universal theme is that drought hurts water suppliers and farmers.

GOP Drought Forum

The panel of Republican members invited witnesses from their districts to testify during the forum, including Alliance members Paul Arrington (executive director and general counsel, Idaho Water Users Association), Mike Britton (executive director, North Unit Irrigation District, Oregon), and Bill Diedrich (Diedrich Farms, California).

"Agricultural production in the West is an irreplaceable, strategic national resource that is vital to U.S. food security, the ecosystem, and overall drought resilience," Mr. Keppen said at the hearing. "The role of the federal government in the 21st Century should be to protect and enhance that resource by doing whatever it can to ensure that water remains on farms."

During Ranking Member Westerman's opening remarks, he pointed to the April 2, 2022 full-page *Wall Street Journal* ad that was produced by California Farm Water Coalition, the Alliance, and Klamath Project producers, intended to draw attention to the critical importance of Western irrigated agri-

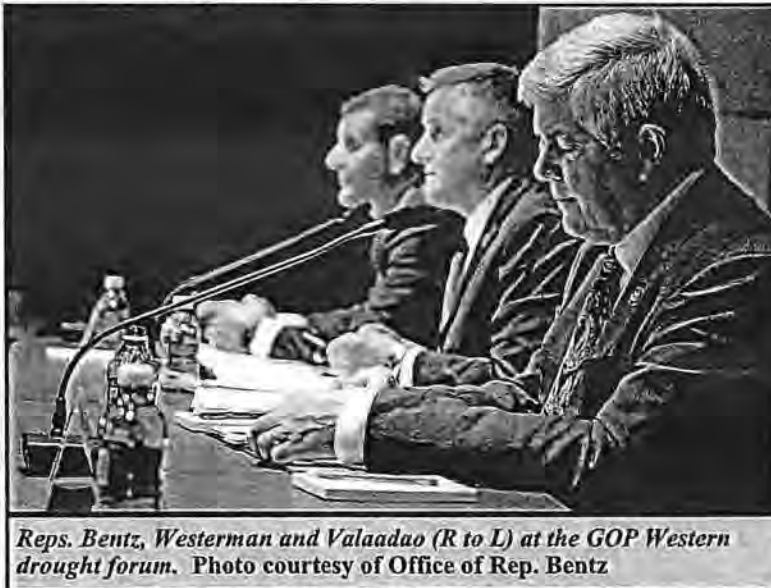
culture.

Mike Verboon, a county supervisor from Kings County (CALIFORNIA), pointed out in his testimony that as agriculture continues to bear full responsibility for the current water issues facing everyone in his state, more and more farming operations will continue to shrink "to the point of extinction."

"As more farms in Kings County leave the state due to insufficient resources and crippling regulations, rural and local communities in the county will continue to be adversely impacted," said Supervisor Verboon.

"Unfortunately, many of these rural agricultural communities being affected are majority minority communities. As farmers sell ranches and move out of the state, field workers, migrants, and the county's most vulnerable local communities will be left to deal with the repercussions."

The forum was cut short early due to conflicts with votes that were occurring on the House floor at the same time. However, each of the ten witnesses was



Reps. Bentz, Westerman and Valadao (R to L) at the GOP Western drought forum. Photo courtesy of Office of Rep. Bentz

able to deliver their 3-minute statements before the forum ended.

"When people talk about taking millions of acres of California farmland out of production, those are just numbers," Mr. Diedrich testified. "Let me put them in perspective for you. For every acre that is left unplanted because of a lack of irrigation water, it is the equivalent of 50,000 salads that will not be available to consumers."

Some Members were able to tee up a few questions for the witnesses from their own districts.

David Guy (Northern California Water Association) and Rep. Doug LaMalfa (R-CA) discussed Sites Reservoir and Delta outflow requirements in California. Rep. John Curtis (R-UT) addressed the complexities of addressing federal regulatory requirements on water projects. Mr. Britton and Rep. Cliff Bentz (R-OR) underscored the importance of irrigation modernization projects underway in Central Oregon.

Several hearing participants also noted that drought is not the only factor impacting food availability and pricing. The ongoing supply chain crisis has left many of the region's farmers with higher input prices and an inability to export some products overseas. For example, farmers already reeling from narrow profit margins due to drought are now hit with cost increases from pesticides, fertilizer, and other necessary materials to keep a farm operational.

"All these factors have led to significant increases in food prices and food scarcity worldwide," said Rep. Westerman.

It's Real: Looming Global Food Insecurity and Rising Food Prices

It's beginning to sink in with policy leaders around the globe: war in Ukraine, sanctions and destroyed ports could take nearly 30% of the world's grain supply out of production or off the market this year.

Ukraine and Russia are among the top five grain exporters, and the war poses a massive blow to both production and shipments, causing food prices to rise at their fastest pace yet (*Bloomberg*).

Drought persists across Western and central North America, the heart of the U.S. wheat, barley, corn and soybean supply.

Amid growing concerns of higher food prices and a looming global wheat shortage, the recent national infant formula shortage has further underscored the importance of a strong national domestic food supply system.

"The recent baby formula crisis seems to be coming as a major shock to many in the country right now," one Alliance member from California recently observed. "This is hitting an extremely important demographic and may be opening the eyes of many to broader messages about root causes."

Consumers are aware of rising prices in the grocery store. World leaders are nervously eying what the Russian actions in Ukraine mean to global famine that could emerge later this year. And, media outlets and lawmakers in Washington are now connecting those concerns to Western farms and ranches and a lack of water.

Global Food Insecurity Implications of Ukraine Conflict

National media outlets are increasingly reporting on what the Russian invasion of Ukraine portends for global food security.

The *Wall Street Journal* on May 30 reported, "Across Ukraine, farmers are navigating mines, traversing bombed bridges and risking dangerous maneuvers at overworked ports to circumvent a Russian blockade and get their grains to sea world desperate for them. But for all their efforts, Ukraine's strained infrastructure has little hope of being able to handle the 30 million metric tons of grain and sunflower oil that is expected after harvesting starts in June."

World leaders are calling the Russian naval blockade a deliberate attack on the global food supply chain. The *Washington Post* reports that this has raised further fears of political instability and shortages unless grain and other essential agricultural products are allowed to flow freely from Ukraine.

A food supply expert warns that the world faces a global crisis in just 10 weeks, echoing a warning from Ukraine President Volodymyr Zelenskyy, *Fox News* recently reported.

The world has less than 10 weeks' worth of wheat left to deal with the crisis, according to Sara Menker, CEO of Gro Intelligence.

"Russia has blocked almost all ports and all, so to speak, maritime opportunities to export food — our grain, barley, sunflower and more. A lot of things," President Zelenskyy said last month. "There will be a crisis in the world. The second crisis after the energy one, which was provoked by Russia."

"Now it will create a food crisis if we do not unblock the routes for Ukraine, do not help the countries of Africa, Europe, Asia, which need these food products," he added.

"This is seismic," Menker said during a special meeting of the U.N. Security Council. "Even if the war were to end tomorrow, our food security problem isn't going away anytime soon without concerted action."

Meanwhile, back in the U.S.A....

Many Western producers are dismayed that, at a time when the world's best farmers and ranchers could be called on to provide more food for the country and the world, government policies are not prioritizing domestic food production.

"Irrigated agriculture that was built to provide food security at precisely this moment, is being dried up by our government," said Ty Kliewer, an Oregon producer served by the Klamath Irrigation Project, which is receiving only 15% of the water needed in a dry year like this one.

There is definitely a strong regulatory component to the drought impacting California and Oregon water users served by federal water projects, like the Klamath Project. Much of the water that once flowed to farms and ranches is instead being directed to help fish populations, although nearly 30 years of empirical data has failed so far to show a positive response to such water shifting schemes from those targeted fish populations.

"In other words, federal water policy is shutting down water availability for hundreds of thousands of acres of productive farmland," Family Farm Alliance Executive Director Dan



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Global Food Insecurity and Rising Food Prices (Cont'd from Pg 3)

Keppen recently stated before a House GOP Western drought forum last month. (see related story, Page 1).

The Bureau of Reclamation recently said that it will not be able to provide some farmers with water from the Central Valley Project, a vast system of dams, reservoirs and canals that it oversees in California. That means farmers in the agricultural region that produces much of the country's fruits, nuts and vegetables will again need to find other water sources — or leave land idle as many have done in recent years.

"New estimates are emerging on the number of acres without enough water to grow food, and it doesn't look good," said Mike Wade, executive director of the Sacramento-based California Farm Water Coalition (CFWC). "We believe the state could see as much as 691,000 acres taken out of production this year, a 75% increase over last year and 151,000 acres more than the previous high in 2015."

According to CFWC, to meet future needs, California must invest in additional conservation and recycling, as well as new supplies that can be stored in reservoirs or groundwater aquifers and moved efficiently to parts of the state where they're needed.

"In addition to lack of storage, our water policy has also failed to adapt and remains mired in outdated science and cumbersome bureaucracy," said Central Valley farmer Bill Diedrich, a CFWC board member and supporter of the Alliance.

His organization estimates that up to 40% of California's irrigated cropland will receive little or no surface water this year.



President Biden and USDA Secretary Vilsack in Illinois, May 2022. Photo courtesy of USDA.

While not directly addressing these issues, President Biden last month did acknowledge U.S. farmers as essential to maintaining global food supplies and curbing record-high inflation, according to *Bloomberg*.

"Our farmers are helping on both fronts: reducing the price of food at home and expanding production and feeding the world," President Biden said during a visit last month to a family farm in Illinois.

Alliance Outreach Efforts

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

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

"Immediate action is necessary because by the time the grocery shelves are empty, it will be too late," said Mr. Diedrich.

Other related recent efforts include:

- Alliance Director Paul Orme and Mr. Keppen co-authored another guest opinion which the *Arizona Republic* published last month: "Water Policy Threatens Our Food Supply". The *Republic*, published in Phoenix, is circulated throughout Arizona and is the state's largest newspaper. The *Arizona Capitol Times* included a full-page ad paid for by the Alliance, a full-page reprint of this guest column.
- Alliance director Don Schwindt (COLORADO) and Mr. Keppen co-authored an opinion piece that was published in the May 11 edition of the *Colorado Sun*.
- The Farm Bureau in Fresno County (CALIFORNIA)—the largest ag production county in America—re-ran the story the Alliance published in the April 2022 "Monthly Briefing" about food supply concerns.
- *Progressive Grocer*, an industry trade publication, recently covered the issue of land fallowing, impending food shortages, and higher prices as described in an informational graphic published by CFWC.
- Two California producers and CFWC Executive Director Mike Wade appeared on a recent segment that was reported on by Lester Holt on NBC Nightly News.

As reported further in a related article on Page 1, House Republicans last month hosted an oversight forum examining how the ongoing Western drought contributes to skyrocketing grocery and electricity prices nationwide. Members heard from witnesses across the country who are experiencing these impacts firsthand and further examine the need to implement short and long-term drought solutions for American consumers. Mr. Keppen, several Alliance members and Mr. Diedrich testified at that forum.

"We certainly have the public's attention in a way we have not had in the past," said Mr. Wade. "As sad as the situation is, it provides us with a tremendous opportunity to deliver a message about the value of Western farms."

WOTUS Regional Roundtables Begin

Alliance set to engage in Western forum later this month

The Environmental Protection Agency (EPA) has begun the first of ten virtual stakeholder meetings regarding changes to the definition of “Waters of the U.S.” (WOTUS) under the federal Clean Water Act. The Family Farm Alliance is preparing to participate at the Western roundtable scheduled for later this month.

“We will be represented at the WOTUS Western Region roundtable, scheduled for June 16,” said Alliance Executive Director Dan Keppen. “Our thanks go out to California Farm Bureau for including us in their formal regional roundtable proposal to EPA.”

EPA and the Army Corps of Engineer (Corps) most recently proposed an interim WOTUS definition and took comment on it through

February 7, 2022. The Alliance developed a formal comment letter on this matter. That proposed rule interprets WOTUS to mean the waters defined by a collection of Corps and EPA regulations referred to as the “1986 regulations,” with amendments to reflect the agencies’ interpretation of the statutory limits on the scope of WOTUS as informed by past Supreme Court decisions, including *Rapanos v. United States*.

The agencies have said they plan a second “more durable” WOTUS rulemaking “that they anticipate proposing in the future” and “which would build upon the foundation of this proposed rule.”

The series of virtual regional roundtables planned for this spring and summer are intended to foster discussion on regional differences in water bodies.

The Corps and EPA are “committed to gaining a better understanding of the various regional perspectives through these roundtables to develop an implementation approach that accounts for these diverse voices and regional variations,” said Assistant Secretary of the Army for Civil Works Michael Connor.

Western Regional Roundtable

The Western Regional Roundtable will delve into the unique features of Western water bodies, including vernal pools, intermittent and ephemeral streams, and the distinctive

hydrology of the West, where much of the stored water resides in mountain snowpack. State and federal agency implementation and regulatory roles on water quality matters will also be discussed.

Mr. Keppen will represent the Alliance at the June 16 roundtable and will advance the Alliance position that expanded federal CWA jurisdiction would negatively impact irrigated agriculture and Western communities in many ways, such as adding additional regulatory burdens to water resiliency projects.

“This creates uncertainty that brings with it the risk of time-consuming and potentially expensive regulatory processes, expanded opportunities for litigation and a shift from local and state water management toward increased federal

agency regulation and oversight,” said Mr. Keppen.

Ag Organizations Engage in Other Regional Roundtables

Other farming organizations have been engaged in the initial roundtables.

Ray Gaesser, an Iowa corn and soybean grower who serves on the board of directors for Solutions from the Land, spoke at the second roundtable, where he told participants that farmers do not need top-down regulation, but instead, seek to partner with federal and state agencies to improve water quality.

“The greatest thing the agencies can do to improve implementation is provide a durable definition of WOTUS that stands the tests of time and makes it *very* clear what waters are and are not jurisdictional,” said Mr. Gaesser. “The implementation of WOTUS “should *enhance* a farmer’s ability to implement conservation, not penalize us for circumstances beyond our control or unfairly remove conservation tools from our toolbox.”

Some farm groups have been critical of the initial sessions.

Courtney Briggs, AFBF senior director of government affairs, says the first roundtable lacked diversity needed to discuss WOTUS.



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Carrington is New Reclamation PNW Regional Director

Long-time Bureau of Reclamation employee Jennifer Carrington on May 8 assumed her duties as Regional Director for the Pacific Northwest Region.

She has more than 27 years of Reclamation experience.

"Jennifer has been deeply immersed in the issues and operations of the Columbia-Pacific Northwest Region for much of her Reclamation career," said Palumbo. "This extensive experience, combined with her executive leadership experience and collaborative approach, will serve our stakeholders well."

Ms. Carrington has served as the deputy regional director for the Columbia-Pacific Northwest Region since 2015. In that role, she focused on integrating business service functions to create program efficiencies as well as management oversight of complex water issues in Washington and Oregon.

She actively engaged with water users and other affected stakeholders to balance competing demands and resolve conflicts.

She participated in the Family Farm Alliance's "Reclamation Roundtable" at the organization's 2022 Annual Conference last February in Reno (NEVADA).

Ms. Carrington is a native of Idaho.

She holds a bachelor's degree in political science as well as a master's degree in public administration—both from Boise State University.



Jennifer Carrington (R), Pacific Northwest Regional Director. Photo source: U.S.B.R.

WOTUS Western Regional Roundtable (Cont'd from Pg. 5)

"In theory, these meetings are designed to bring folks with different perspectives together to talk about regionally specific implementation concerns pertaining to WOTUS," said Courtney Briggs, senior director of government affairs for the American Farm Bureau Federation (AFBF). "And the list of participants for this first roundtable was diverse on paper, but we are very concerned about the lack of diversity of experience on the panel. And few of these participants have actually navigated the regulatory process associated with Clean Water Act compliance."

Complicating Factors

The changes to the WOTUS rules may already be a done deal, *Harvest Public Media* recently reported. The public comment period for that change ended months before the virtual roundtables started.

"The public comment period on that proposal closed on February 7th, and we are reviewing the comments we received," said Navis Bermudez, deputy assistant administrator with the EPA. "While we cannot consider any new information provided here today as part of that process, we look forward to hearing your feedback and experiences with how we have implemented that term so that we can do a better job of making sure we all have access to clean water going for-

ward."

The matter is further complicated by the Supreme Court's recent decision to hear *Sackett v. EPA*. This closely watched case will determine whether the U.S. Court of Appeals for the 9th Circuit "set forth the proper test for determining whether wetlands are 'waters of the United States'" under the CWA.

As reported in the May 2022 "Monthly Briefing", the Alliance is joining in an "agriculture" brief in this case, led by AFBF.

Now that the Supreme Court agreed to hear the appeal in *Sackett v. United States*, Republican lawmakers and other supporters of the Trump-era WOTUS definition have urged EPA and the Corps to pause development of any new WOTUS definition until after the high court rules. Over 200 House Republicans in March sent a letter urging the Biden Administration to halt their rulemaking until the U.S. Supreme Court rules on *Sackett v. EPA*.

"A premature rulemaking will compound existing uncertainty and confusion for stakeholders, who have already experienced years of uncertainty over WOTUS definition and scope changes," the legislators stated.

The virtual roundtables will continue through June 24. Final changes to the definition of WOTUS and how rules are implemented will likely be announced by the end of the year.

Senate ENR Subcommittee Considers 17 Water Bills

The Senate Energy and Natural Resources (ENR) Subcommittee on Water and Power last month heard testimony on 17 bills dealing with drought mitigation and hydropower projects. Bureau of Reclamation Commissioner Camille Touton was the sole government witness at the hearing.

The Family Farm Alliance since early last year has been engaged with Senate staff as several of the regional and West-wide bills were being developed. The Subcommittee also included a number of additional bills that address specific water issues and needs in California, North and South Dakota, Montana, New Mexico, and Wyoming.

“We have members in all of these states and are supportive of solutions that come from the ground-up and help improve operations and infrastructure,” the Alliance stated in written testimony submitted prior to the hearing. “We stand ready to work with the Committee on these bills.”

Several of the bills were intended to address aging infrastructure in various parts of the West, like the Goshen Irrigation District tunnel collapse that occurred in Wyoming.

“Wyoming, and other western states, want to see improvements to the new infrastructure law,” said Senate ENR Committee ranking member John Barrasso (R-WYOMING). “They are also eagerly awaiting implementation of its existing water infrastructure provisions. That is why we need to move legislation to improve the new Bipartisan Infrastructure Law to allow projects that suffered a recent critical failure to get access to this vital funding. Implementing these provisions will allow funding to be released for farming and ranching communities in the West that really need it.”

A summary of each bill the Alliance engaged in is discussed further below.

Water for Conservation and Farming Act (S. 953)

The “Water for Conservation and Farming Act,” from Sen. Ron Wyden (D-OR), would create a Bureau of Reclamation Infrastructure Fund that would receive \$300 million annually from the Reclamation Fund for 30 years starting in FY2031 to support water recycling projects, water-use efficiency projects under WaterSMART, and dam safety. It would also authorize \$25 million over five years to support fish passage projects in California, Idaho, Montana, Oregon and Washington state.

“This bill provides important tools to address water and

natural resources challenges across the West that are important to our members. However, certain provisions in the legislation do raise some concerns,” said Alliance Executive Director Dan Keppen.

The Alliance strongly supports the bill’s provisions for the Fisheries Restoration and Irrigation Mitigation Act (FRIMA).

“Our members in California, Idaho, Oregon, Montana, and Washington are strong supporters and benefactors of FRIMA, which supports voluntary fish screen and passage projects,” said Mr. Keppen.

However, several other provisions of the bill that appear intended to focus on drought impacts to species also raise questions and concerns. Significant implementation questions also exist.

“We will closely examine any proposal – particularly at this time when promoting domestic food production will be more important than ever before – that seeks to move water away from agriculture through voluntary water transfers, including through groundwater substitution activities,” said Mr. Keppen.



The Canal Conveyance Capacity Restoration Act (S. 1179)

S. 1179 from Sen. Dianne Feinstein (D-CALIFORNIA) would authorize cost shared federal funding to restore San Joaquin Valley canals that support groundwater recharge areas, as well as authorize funds to restore salmon runs on the San Joaquin River.

“S. 1179 will address the severe subsidence impacts that have substantially reduced the carrying capacity of the water delivery system of the State of California to provide for a more resilient water supply, especially during the severe droughts of these past several years,” the Alliance testimony states. “For these reasons, the Alliance is in full support of the enactment of S. 1179.”

The Watershed Results Act (S. 3539)

The “Watershed Results Act,” from Sen. Wyden would direct the Department of Interior to work with the U.S. Department of Agriculture (USDA) and the Environmental Protec-

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Senate ENR Subcommittee Hears 17 Bills (*Cont'd from Pg. 7*)

tion Agency (EPA) to establish two to five watershed restoration pilot programs that would use advanced analytics to prioritize performance-based conservation projects across the West.

"In Oregon, communities in the Klamath and Deschutes Basin are looking at another devastating drought year – only made worse with the threats of wildfires and extreme heat," said Subcommittee Chairman Wyden. "As these pressures continue to mount, it's essential to get a lot more high-impact water projects on the ground and fast. That's what my Watershed Results Act is all about."

Each pilot program must incorporate predictive data analysis to analyze millions of acres of a watershed to precisely locate the most effective acres for restoration that will make the largest impact.

"By prioritizing investments in conservation and measuring results, we believe we can create a market for farmers to grow "bushels of nature" alongside our food supply," said Mr. Keppen. "The Alliance strongly supports S. 3539."

The Upper Colorado & San Juan River Basins Recovery Act (S. 3693)

S. 3693 from Sens. John Hickenlooper (D-COLORADO) and Mitt Romney (R-UTAH) would continue endangered fish recovery programs in the Upper Colorado River Basin.

"The Alliance supports S 3693 and we worked with other Upper Basin interests and the Hickenlooper and Romney offices earlier this year in support of putting a bipartisan stamp on this legislation," said Mr. Keppen.

Amendments to Existing Law Proposed by Senator Risch

The Alliance supports S. 4175, from Sen. Jim Risch (R-IDAHO) which would amend the Omnibus Public Land Management Act of 2009 (P.L. 111-11) to authorize "certain extraordinary operation and maintenance work" for canals through densely populated areas, and for other purposes.

These canals, typically delivering irrigation water to farms and ranches in Reclamation watersheds in the West, were originally built in the desert environment of a developing watershed. As time went on, communities sprang up and housing tracts were developed alongside these canals creating potential hazards that, if a failure occurred, could result in loss of life and property.

S. 4176 from Sen. Risch would amend the Infrastructure Investment and Jobs Act (IIJA) to modify eligibility requirements for small water storage and groundwater storage project grants program, and to expand eligibility of funds for rehabilitation of projects developed and operated under the Carey Act. The Alliance supports S. 4176, which would reduce the minimum size of an eligible small surface and groundwater storage facility from 2,000- to 2-acre-feet, making important small regulating reservoirs eligible for grant funding under the program.

STREAM Act (S. 4231)

The "Support to Rehydrate the Environment, Agriculture and Municipalities (STREAM) Act" (S. 4231) from Sen. Feinstein (D-CALIFORNIA) would authorize \$750 million in cost shared funding for nonfederal water and groundwater storage, \$300 million in cost shared funds for water recycling, \$150 million in cost shared funds for desalination projects, \$100 million for drinking water and \$150 million for low-interest loans for water supply projects.

"If we don't take action now to improve our drought resilience, it's only going to get worse," said Senator Feinstein. "We need an 'all-of-the-above' strategy to meet this challenge, including increasing our water supply, incentivizing projects that provide environmental benefits and drinking water for disadvantaged communities, and investing in environmental restoration efforts."

The STREAM Act includes provisions that continue the "Water Infrastructure Improvements for the Nation Act" (WIIN Act) storage program in a revised form, as well as extending the availability for cost-shared grant funding for non-congressionally authorized Title XVI water recycling, reuse, and desalination projects. Importantly, the STREAM Act would grandfather storage and conveyance infrastructure projects that receive construction funding in the bipartisan infrastructure bill enacted earlier this Congress to receive new funding authorized by the STREAM Act to complete construction.

Family Farm Alliance members are involved with several of those projects in California, Idaho and Washington state. The bill would also provide some non-reimbursable funding for modifications to extraordinary maintenance on aging Reclamation projects that would provide additional public benefits.

"We appreciate Senator Feinstein's longtime, continued work to improve water security and drought resilience in the Western United States," said Mr. Keppen. "Her STREAM Act contains a number of provisions that could be helpful to our members, if enacted."

Colorado River Basin Project Cost Recovery (S. 4232)

S. 4232 from Sen. Mark Kelly (D-ARIZONA) is intended to address costs associated with Reclamation hydropower facilities in the Colorado River Basin. Colorado River Storage Project (CRSP) customers – through power revenues – annually fund operation and maintenance, capital investment (with interest), irrigation assistance and environmental programs in the CRSP and Colorado River Basin. With the institution of the latest Western Area Power Administration (WAPA) rate case, CRSP customers took on the obligation of replacing power that is not produced due to drought.

"Senator Kelly's S. 4232 is critical to mitigate significant drought impacts for federal hydropower customers in Arizona

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BOR Announces Over \$240M from IIJA to Repair Aging Infrastructureand other Reclamation infrastructure news

The Department of Interior last month announced an investment of \$240.4 million for infrastructure repairs in fiscal year 2022 from the Infrastructure and Investment Jobs Act (IIJA), also referred to as the Bipartisan Infrastructure Law, signed into law by President Biden last November.

"The Bureau of Reclamation, in partnership with states and local water districts receiving municipal water and irrigation water from federally-owned projects, is responsible for much of the water infrastructure in the West," said Acting Bureau of Reclamation Commissioner David Palumbo. "These water systems work because of this federal to non-federal partnership, and this funding will help to complete necessary extraordinary maintenance keeping projects viable and partnerships strong."

Importantly, the IIJA aligns with the solutions advanced by a Western water coalition in 2021 that included more than 230 organizations from 15 states that collectively represent nearly one-third of all agricultural production in the country, and many of the local and regional public water agencies that supply water to more than 75 million urban, suburban, and rural residents.

The coalition was led by a steering committee that included the Family Farm Alliance, Association of California Water Agencies, California Farm Bureau, National Water Resources Association and Western Growers.

Public Law 116-260, signed in December 2020, created a revolving fund called the Aging Infrastructure Account.

"The authorization for an aging infrastructure account at the U.S. Treasury Department is a game-changer for most transferred work operators and reserved work project beneficiaries in the Reclamation system," said Alliance Executive Director Dan Keppen. "With this authority in place, we are now seeing 'once-in-a-generation' funding to back it."

The program, facilitated through the Bureau of Reclamation, includes significant repairs on canal linings, dam spillways and water pipeline replacements.

The IIJA makes one of the largest investments in drought resilience in American history, including \$8.3 billion for water infrastructure programs and \$1.4 billion for ecosystem

restoration and resilience, dramatically expanding Reclamation's ability to use existing program authorities to serve communities through infrastructure improvements that fundamentally impact their quality of life.

The projects selected for funding last month are found in all the major river basins and regions where Reclamation operates.

Among the 46 projects selected for funding are large projects to conduct canal repairs in Arizona, California, Idaho, Nevada and Wyoming, dam spillway repairs in Nebraska, pipeline repairs in Utah and investments in a pumping plant in Montana. Projects in Colorado, Oregon and Washington are also being funded.

Reclamation concluded the initial application period for these funds on January 31, 2022. The second application period for extraordinary maintenance



The Truckee Canal (pictured here, with ice) in Nevada's Lahontan Project will receive IIJA funds to line a section of the canal with geomembrane and concrete. Photo source: Bureau of Reclamation

funding is planned for October 2022.

Reclamation Funds \$17.3 million to improve water efficiency in West

Reclamation last month also selected 22 projects to share \$17.3 million in WaterSMART Water and Energy Efficiency Grants. These competitive projects improve water use efficiency, increase renewable energy production, and reduce the risk of water conflicts in the Western United States.

"Conserving water is saving energy and helping Western communities become more resilient to drought," said Acting Reclamation Commissioner David Palumbo. "Water and Energy Efficiency Grants provide communities with the necessary, cost-shared funding to modernize their existing infrastructure and conserve water for their communities and the environment."

The selected projects include lining and piping canals, installing and upgrading water meters and timers, installing solar to reduce power demand, and adding automated gate controls.

For example, the Quincy-Columbia Basin Irrigation District – an Alliance member in central Washington - will line 2,500 feet of the earthen West Canal. The project will help address regional water reliability concerns, including drought,

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2022 WRDA Moves Forward in Congress

The U.S. Senate and House in the past month each moved versions of biennial water projects legislation that lays out a blueprint for how the Army Corps of Engineers tackles flood control, navigation and ecosystem restoration.

Recent versions of the Water Resources Development Act (WRDA) have also included provisions for Bureau of Reclamation projects, something the 2022 WRDA does not provide.

"The 2022 WRDA being advanced in each chamber of Congress appears to be more Corps-centric, although there are provisions that focus on the Western U.S.," said Family Farm Alliance Executive Director Dan Keppen.

Senate WRDA Bill Clears Committee with No Opposition

The Senate WRDA bill passed the Senate Environment and Public Works Committee in early May by a vote of 20-0. Committee Chair Tom Carper (D-DE) and Ranking Member Shelley Moore Capito (R-WV) have said their legislation builds on the recently passed \$1.2 trillion bipartisan infrastructure package and would authorize Corps projects in all 50 states.

"Since 2014, Congress has enacted WRDA legislation every two years, and I am thrilled that we reached a bipartisan agreement to continue that tradition of addressing our nation's water resources needs," said Ranking Member Moore Capito.

The Senate bill includes several sections of interest to Western water users.

"We'll be keeping an eye on those areas of the Senate WRDA that address agency coordination on Western water matters, water supply conservation provisions, Columbia River flood management, NEPA reporting, and Western water infrastructure studies," said Mr. Keppen.

House T&I Approves WRDA Bill

The House Transportation and Infrastructure (T&I) Committee later in the month passed their version of WRDA, only approving a handful of the multitude of amendments proposed to the bill during their earlier markup.

The panel approved by voice vote H.R. 7776 from Chair Peter DeFazio (D-OREGON) and ranking member Sam Graves (R-MO), which was unveiled earlier in the week. The legislation approves new projects and policies for the Corps work on navigation, flood control and ecosystem restoration, and contains various bipartisan provisions to boost the agency's ability to tackle sea-level rise, erosion and the threat of increasingly destructive coastal storms.

"H.R. 7776 was developed in a bipartisan manner, with input and ideas from both sides of the aisle," said Chairman DeFazio. "From studying the impacts of coastal storms on inland flooding to addressing the future water supply needs of the arid West, this bill works to make communities more resilient."

Many expect that H.R. 7776 will move to the floor of the House for a vote later this month.

Senate ENR Subcommittee Hears 17 Bills (*Cont'd from Pg. 8*)

and across the Colorado River Basin," the Alliance written testimony states. "This bill would ensure that Hoover, Parker-Davis, and CRSP hydropower ratepayers are not responsible for covering certain costs associated with these federal facilities if they are not producing and delivering power."

When the CRSP hydropower is not available, it is inequitable to require the CRSP customers to continue to pay the full annual obligations (for a highly reduced or unavailable product), plus the replacement cost of market-based power to replace the unavailable federal power. Coupled with extreme drought impacts, power revenue funding is unsustainable at current levels.

"While the Alliance fully supports S. 4232, we would ask that it be expanded to not only address impacts to power customers if generation is fully lost, but also help mitigate the impacts they are already experiencing from the current significant reductions in generation," the Alliance recommends in its testimony.

Water Data and Security Act of 2022 (S. 4236)

New Mexico's Democrat Senators Martin Heinrich and Ben Ray Lujan have introduced S. 4236, which would create

a national framework for data generated by the planning and management of water resources to include stream flows, precipitation, groundwater and soil moisture, as well as water use by the agriculture, industrial and municipal sectors. The bill would also direct the Interior Department to set up a federal working group to create an integrated water resource management plan for the Rio Grande Basin.

"We support the water data framework provisions of S. 4236," said Mr. Keppen. "Western water resources decision-making demands accurate and timely. Critical and vital information is gathered and disseminated through a number of important federal programs. There is a serious need to focus on coordinated data collection and dissemination."

Rep. Melanie Stansbury (D-NEW MEXICO) introduced companion legislation earlier in the month. Alliance contractors met virtually with Rep. Stansbury in early May to discuss the legislation, which the Alliance board of directors unanimously supported at its monthly board meeting.

"Water is the lifeblood of our communities," Rep. Stansbury said in a statement. "As we are facing historic drought and wildfires, we must address the immediate needs of our communities, while transforming water management across the West."

\$17.3 M for Water Efficiency Projects (Cont'd from Page 9)

groundwater issues, and improved stream flows to assist salmon recovery. The project will receive \$300,000 with a total project cost of \$750,000.

The projects will be completed in two or three years, depending on the funding received. To view all the selected projects, please visit www.usbr.gov/watersmart/weeg/.

This funding supplements the investments from the IJA, which contains \$400 million over five years for WaterSMART grants, including drought resiliency projects. In 2022, Reclamation is making \$160 million available and will re-

lease other funding opportunities this spring. To learn more about how Reclamation implements the IJA, please visit www.usbr.gov/bil.



Water flows through the Quincy-Columbia Basin Irrigation District in eastern Washington. Photo source: Quincy-Columbia Basin Irrigation District

Small Water Storage Grant Program Webinar

Reclamation is conducting a webinar on June 2, 2022 at 12:00 p.m. MDT regarding feasibility studies for the new Small Water Storage Grant Program as part of the IJA. The feasibility standards, published in January 2022 following the IJA, are available on Reclamation's website. To be eligible to receive a grant from this program, project sponsors must submit a feasibility study for Reclamation's review and approval.

The IJA authorized this new program and provides funding for surface and groundwater storage projects between 2,000 and 30,000 acre-feet. It must also increase the storage or move water to or from the storage project.

The program is available for non-federal water storage projects in the Western States. Federal funding is available for up to 25-percent of eligible project costs. No more than \$30 million is available per project. Up to \$100 million will be available over the next five years.

The funding opportunity for this program will be published later this year.

To learn more about this program, visit Reclamation's Small Storage Grant Program at: <https://www.usbr.gov/smallstorage/index.html>.

Detailed information on Reclamation programs and funding provided in the IJA is available at <https://www.usbr.gov/bil/>.

DOT Waives "Buy America" Requirements

Bloomberg Government reports that the U.S. Transportation Department (DOT) is giving states and industry 180 days to start working on procedures to comply with 'Buy America' requirements, although the administration touted the need for domestic sourcing of all materials for building infrastructure. The notice was published in the Federal Register on May 25, and notes that the department had heard from stakeholders worried about the mandate.

"Because construction materials have not previously been subject to Made in America rules as have iron and steel,

there is a need to gather data on domestic sourcing capacity to inform stronger standards," the notice says. "For example, while the exact impact on highway project construction is unknown, the Department believes that it could be significant."

The administration last month issued guidance requiring that projects funded by the infrastructure package source American steel, iron, and construction materials. The infrastructure law (Public Law 117-58) mandated that the guidance be put in place by May 14.

The construction industry quickly raised concerns, according to *Bloomberg*.

"It makes no sense to place unrealistic limitations on firms' ability to source key materials at a time when prices for those products are skyrocketing and supplies are limited," Associated General Contractors of America CEO Stephen Sandherr said last month.

The Alliance – along with the Association of California Water Agencies, California Farm Bureau, National Water Resources Association and Western Growers Association earlier this year sent a letter to the Interior Department and Bureau of Reclamation, urging Interior to employ discretion and flexibility regarding the "Build America" mandate.

"We specifically request that you provide a general applicability waiver consistent with the law's public interest criterion to ensure that we can deliver on the Administration's commitment to modernize our water infrastructure to address climate resiliency and safe and reliable water deliveries to Western water users," the parties wrote on January 18.

As this *Monthly Briefing* was going to press, it was not clear whether Interior was following DOT on delaying implementation of "Buy America" provisions for IJA projects.

A Big Thank You to Our New and Supporting Members!

MARCH—APRIL 2022

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Maricopa Water District (AZ)
Middle Rio Grande Conservancy District (NM)
Nampa & Meridian Irrigation District (ID)
Payette River Water Users Association (ID) Salt River Project (AZ)
Twin Falls Canal Company (ID)**

PARTNER (\$500-\$999)

**Camelback 240 Ltd. Partnership (AZ) Columbia Canal Company (CA) Don Schwindt (CO)
East Fork Irrigation District (OR) H-Four Farms (AZ) Resource Environmental Solutions (TX)
Three Sisters Irrigation District (OR) Westside Irrigation Company (WA)**

SUPPORTER (\$250—\$499)

**Deschutes Basin Board of Control (OR) Love Farms, Inc. (OR) Mark Booker (WA)
Mark Deutschman (MN) North Unit Irrigation District (OR) Tempe Farming (AZ)**

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

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

CORRESPONDENCE LIST**JUNE 2022**

1. May 13, 2022 – Notice and Agenda received from the Santa Ynez Community Services District for the May 18, 2022 Board of Directors Regular Board Meeting
2. May 18, 2022 – Public Records Act Request received from Santa Ynez River Water Conservation District
3. May 18, 2022 – Notice and Agenda received from the Cachuma Operation and Maintenance Board for the May 23, 2022 Board of Directors Regular Board Meeting
4. May 25, 2022 – Notice and Agenda received from the Santa Barbara Local Agency Formation Commission' for the June 2, 2022 Board of Directors Meeting
5. May 25, 2022 – Agenda and Final Budget presentation materials for the Santa Barbara Local Agency Formation Commission's June 2, 2022 Board of Directors Regular Meeting
6. May 16, 2022 – Letter from District regarding Existing Water Service – APN 141-380-045
7. May 16, 2022 – Can and Will Serve letter from District – New detached additional dwelling unit and detached garage – APN 141-380-030
8. May 26, 2022 – Existing Water Service Letter from District – Conversion of existing storage barn to additional dwelling unit – APN 141-400-011
9. May 24, 2022 – Public Records Act request received from Center for Contract Compliance
10. May 27, 2022 – Public Records Act Request Response letter from District to Santa Ynez River Water Conservation District
11. May 30, 2022 – Agenda received from the Santa Ynez River Water Conservation District for the May 31, 2022 Special Board of Directors Meeting
12. May 31, 2022 – Agenda received from Los Olivos Community Services District for the June 3, 2022 Finance Committee Meeting
13. May 31, 2022 – Agenda received from the Santa Ynez River Water Conservation District for the June 1, 2022 Board of Directors Meeting
14. June 1, 2022 – Letter from District to Santa Ynez River Water Conservation District regarding comments to the Forty-Fourth Annual Engineering and Survey Report on Water Supply Conditions of the Santa Ynez River Water Conservation District, 2021-2022
15. June 2, 2022 – Letter from District sent to nineteen customers regarding backflow testing requirement
16. June 2, 2022 – Agenda received from the Santa Ynez Community Services District for the June 8, 2022 Special Board of Directors Meeting
17. June 3, 2022 – Notice and Agenda received from the Los Olivos Community Services District for the June 8, 2022 Regular Board Meeting

18. June 3, 2022 – Board Packet materials received from the Los Olivos Community Services District for the June 8, 2022 Regular Board Meeting
19. June 4, 2022 – Notice and Agenda received from the Los Olivos Community Services District for the June 8, 2022 Wastewater Treatment Workshop
20. June 6, 2022 – Letter from District to City of Solvang regarding DWR/CCWA Variable O&M Invoice for May 1, 2022 – September 30, 2022
21. June 6, 2022 – Public Records Act Request Response letter from District to Center for Contract Compliance
22. June 9, 2022 – Public Records Act Request received from Transparent California
23. June 10, 2022 – Notice and Agenda received from the Santa Ynez Community Services District for the June 13, 2022 Special Board of Directors Meeting
24. June 10, 2022 – Notice and Agenda received from the Santa Ynez Community Services District for the June 15, 2022 Board of Directors Meeting