

AGENDA

Special Meeting of the

BOARD OF TRUSTEES

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

will be held at **3:00 P.M., Thursday, October 17, 2019**

at 1070 Faraday Street, Santa Ynez, Ca. - Conference Room

- I. CALL TO ORDER AND ROLL CALL**
- II. PLEDGE OF ALLEGIANCE**
- III. REPORT BY THE SECRETARY TO THE BOARD REGARDING COMPLIANCE WITH THE REQUIREMENTS FOR POSTING OF THE AGENDA**
- IV. 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.
- V. CLOSED SESSION** - The Board will hold a closed session to discuss the following item:
 - A. PUBLIC EMPLOYEE APPOINTMENT:** Job Title - General Manager [Section 54957 of the Government Code]
- VI. CONSIDERATION OF APPROVAL OF GENERAL MANAGER EMPLOYMENT AGREEMENT**
- VII. CONSIDERATION OF THE MINUTES OF THE REGULAR MEETING OF SEPTEMBER 17, 2019**
- VIII. CONSIDERATION OF THE MINUTES OF THE SPECIAL MEETING OF OCTOBER 4, 2019**
- IX. ADDITIONS OR CORRECTIONS, IF ANY, TO THE AGENDA**
- X. 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. Status of WR 89-18 Above Narrows Account
 - CA-3. Report on State Water Project - Central Coast Water Authority Activities
 - CA-4. Status of State Water Resources Control Board Permits, Environmental Compliance & Hearings Update
 - CA-5. National Marine Fisheries Service - September 7, 2000 Biological Opinion for Cachuma Project Continuing Operations
 - CA-6. Cachuma Project and Water Service Contract Update
 - CA-7. Update on Security Measures for Water Utilities
- XI. MANAGER'S REPORT - STATUS, DISCUSSION AND POSSIBLE BOARD ACTION ON THE FOLLOWING SUBJECTS:**
 - A. DISTRICT ADMINISTRATION** - (Est. 1 Hour)
 1. Financial Report on Administrative Matters
 - a) Presentation of Monthly Financial Statements - Revenues and Expenses
 - b) Approval of Accounts Payable
 2. Surplus Property Disposition Policy
 - a) Resolution No. 793: *A Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 Adopting the Santa Ynez River Water Conservation District, Improvement District No.1 Surplus Property Disposition Policy*
 3. State of California Superior Court for the County of Santa Barbara - Court Ruling in favor of Santa Ynez River Water Conservation District, ID No.1 versus Joe Holland, Registrar of Voters for Santa Barbara County
 4. Staff Organization - Presentation, Consideration and Approval of Update to Staff Plan

B. OPERATIONS AND MAINTENANCE

1. Update on Office Water Production Well Water Treatment & Maintenance Building

XII. REPORT, DISCUSSION AND POSSIBLE BOARD ACTION ON THE FOLLOWING SUBJECTS: (Est. ½ Hour)

A. Cachuma Project – U.S. Bureau of Reclamation Continuing Operations

1. Cachuma Project Water Service Contract No. I75r-1802R, Water Deliveries, Exchange Agreement, Entitlement, Water Storage, Accounting, Water Supply Projections & SWRCB Permits
2. 2020 Water Service Contract
3. State Water Resources Control Board – Water Rights Order 2019 for Cachuma Project Permits 11308 and 11310

B. State Water Project - Central Coast Water Authority

1. State of California Department of Water Resources Delta Conveyance Project
2. Consideration of Participating with CCWA in the Delta Conveyance Project

C. Sustainable Groundwater Management Act

1. Eastern Management Area Update

XIII. REPORTS BY THE BOARD MEMBERS OR STAFF, QUESTIONS OF STAFF, STATUS REPORTS, ANNOUNCEMENTS, COMMITTEE REPORTS, OBSERVATIONS AND OTHER MATTERS AND/OR COMMUNICATIONS NOT REQUIRING ACTION

XIV. CORRESPONDENCE: GENERAL MANAGER RECOMMENDS THE ITEMS NOT MARKED WITH AN ASTERISK (*) FOR FILE

XV. 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.

XVI. NEXT MEETING OF THE BOARD OF TRUSTEES: The next Regular Meeting of the Board of Trustees is scheduled for **November 19, 2019 at 3:00 p.m.**

XVII. CLOSED SESSION - The Board will hold a closed session to discuss the following items:

B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

[Subdivision (d)(1) of Section 54956.9 of the Government Code – 4 cases]

1. Name of Case: Adjudicatory proceedings pending before the State Water Resources Control Board regarding Permits 11308 and 11310 issued on Applications 11331 and 11332 to the United States Bureau of Reclamation and complaints filed by the California Sport fishing Protection Alliance regarding the operating of the Cachuma Project and State Board Orders WR73-37, 89-18 and 94-5; and proposed changes to the place of use of waters obtained through aforementioned permits for the Cachuma Project
2. Name of Case: Adjudicatory proceedings pending before the State Water Resources Control Board regarding Permit 15878 issued on Application 22423 to the City of Solvang regarding petitions for change and extension of time and protests to the petitions
3. Name of Case: Santa Barbara Superior Court Case No. 18CV05437, Santa Ynez River Water Conservation District, Improvement District No.1 v. Holland, et al.
4. Name of Case: Santa Barbara Superior Court Case No. 19CV01873, Cachuma Operation and Maintenance Board v. Santa Ynez River Water Conservation District, Improvement District No.1

XVIII. 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.

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT
IMPROVEMENT DISTRICT NO. 1
SEPTEMBER 17, 2019 REGULAR MEETING MINUTES

Agenda Item VII.

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, September 17, 2019 in the Conference Room at 1070 Faraday Street, Santa Ynez.

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

Trustees Absent: None

Others Present: Chris Dahlstrom Mary Martone Karen King
Eric Tambini Frances Komoroske Kevin Crossley

I. CALL TO ORDER AND ROLL CALL:

President Clay called the meeting to order at 3:00 p.m., he stated this was a Regular Meeting of the Board of Trustees. Mrs. Martone reported all members of the Board were present.

II. PLEDGE OF ALLEGIANCE:

President Clay led the Pledge of Allegiance.

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

Mrs. 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 54950 and pursuant to Resolution No. 340 of the District. The affidavit was filed as evidence of the posting of the agenda items contained therein.

IV. CONSIDERATION OF THE MINUTES OF THE REGULAR MEETING OF AUGUST 20, 2019

The Minutes of the Regular Meeting of August 20, 2019 were presented for consideration.

President Clay asked if there were any changes or additions to the Regular Meeting Minutes of August 20, 2019. No changes or corrections were requested.

It was **MOVED** by Trustee M. Burchardi, seconded by Trustee H. Burchardi and carried by a unanimous 5-0-0 voice vote, to approve the Regular Meeting Minutes of August 20, 2019 as presented.

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

Mr. Dahlstrom stated there were no additions or corrections to the agenda.

VI. PUBLIC COMMENT:

There was no public comment.

VII. CONSENT AGENDA:

The Consent Agenda report was provided in the Board Packet.

It was **MOVED** by Trustee H. Burchardi, seconded by Trustee Joos and carried by a unanimous 5-0-0 voice vote to approve the Consent Agenda as presented.

1 VIII. MANAGER'S REPORT - STATUS, DISCUSSION AND POSSIBLE BOARD ACTION ON THE FOLLOWING
2 SUBJECTS:

3 A. DISTRICT ADMINISTRATION

4 1. Financial Report on Administrative Matters

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

6 The Board was provided the Statement of Revenues and Expenses for the month of
7 August in the handout materials.

8
9 Mr. Dahlstrom reviewed the Statement of Revenues and Expenses for the month of
10 August. He reported the revenues exceeded the expenses by \$424,184.34 and the year-
11 to-date net income was \$570,655.10. Mr. Dahlstrom stated the water sales were 3.21%
12 higher than the previous month, however the total water production was 166 af or
13 29.9% less water demand for the month than the 10-year running average. He stated
14 water conservation by District customers remains a major factor in overall total use.

15
16 b) Approval of Accounts Payable

17 The Warrant List was provided in the handout material for Board action. The Warrant
18 List covered warrants 22516 through 22588, for the period of August 21, 2019 through
19 September 17, 2019 in the amount of \$522,305.62.

20
21 It was MOVED by Trustee H. Burchardi, seconded by Trustee Joos and carried by a
22 unanimous 5-0-0 voice vote, to approve the Warrants List as presented.

23
24 B. OPERATIONS AND MAINTENANCE

25 1. Purchase of Two Fleet Vehicles

26 a) Consideration of and Award of Bid

27 The Board packet included Bid Results for two (2) Chevrolet Silverado 2500 HD
28 Regular Cab 4wd Trucks with service bodies and lift-gates.

29
30 Mr. Dahlstrom reminded the Board that at the August Board meeting, staff presented
31 bid results for two Chevrolet Silverado 2500 HD vehicles; however, discussion ensued
32 and the Board consensus at that time was to delay action on the purchase of the
33 vehicles and request staff to potentially seek additional bids from Ford.

34
35 Mr. Dahlstrom explained that following the August Board meeting, in an effort to
36 ensure that the District was complying with public agency purchasing laws, he
37 researched the possibility of soliciting additional bids from another manufacturer after
38 the current bids had already been opened and publicized. Mr. Dahlstrom informed
39 the Board that the Chevrolet bids that were reviewed at the August meeting would
40 have to be rejected by the Board and then a new Request for Bids would have to be
41 developed and distributed to both Chevrolet and Ford dealers in order to stay
42 compliant with public agency purchasing requirements. He also discussed perception
43 issues that could result from this type of action, as well as an unfair advantage for
44 other vendors to submit a lower price based on the knowledge of the current bids that
45 had been publicized. Mr. Dahlstrom recommended that the Board proceed with the
46 bid results from Chevrolet that were announced at the August meeting for this year's
47 approved fleet vehicle purchases. He suggested that future purchases will include the
48 Board's suggestion of obtaining multiple manufacturer bids. Board discussion
49 ensued, topics included, local dealerships, Sourcewell, vehicle
50 maintenance/reliability, average life of vehicles and fleet pricing. The Board
51 concurred with the recommendation to keep the bids from Chevrolet active and award
52 to the lowest bidder for the 2019-20 fiscal year.
53

1 Mr. Dahlstrom announced that based on the bid results, Rio Vista Chevrolet was the
2 lowest responsible bid in the amount of \$92,945.54. Mr. Dahlstrom recommended
3 acceptance of the bid from Rio Vista Chevrolet and authorization to purchase the two
4 fleet vehicles.
5

6 After a brief discussion, it was MOVED by Trustee H. Burchardi, seconded by M.
7 Burchardi, and carried by a unanimous 5-0-0 voice vote, to accept the lowest
8 responsible bid of \$92,945.54 from Rio Vista Chevrolet for the purchase of two
9 Chevrolet Silverado 2500 HD Regular Cab 4wd Trucks with service bodies and lift-
10 gates.
11

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

13 **A. Cachuma Project – U.S. Bureau of Reclamation Continuing Operations**

- 14 1. Cachuma Project Water Service Contract No. I75r-1802R, Water Deliveries, Exchange
15 Agreement, Entitlement, Water Storage, Accounting, Water Supply Projections & SWRCB
16 Permits
17

18 Mr. Dahlstrom reported on the current activities related to the Cachuma Project. Mr.
19 Dahlstrom stated that the Cachuma Project allocation is at 100%; however, with the water
20 demand being low, the District will likely have carryover water.
21

22 Mr. Dahlstrom stated there will be no downstream water rights release this year due to
23 the current water year's rainfall activity.
24

25 Mr. Dahlstrom indicated the new water year begins on October 1, 2019 and according to
26 the US Bureau of Reclamation the District will receive its full allocation 2,651 af of
27 Cachuma Project water for the next water year.
28

29 Mr. Dahlstrom reviewed the Exchange Agreement and the evaporation component.
30

31 Mr. Dahlstrom reported that the District experienced a PG&E power outage for several
32 hours on September 16th which interfered with the District's ability to produce, move, and
33 deliver water. He explained that the field crew utilized emergency back-up generators in
34 two key locations to ensure District customers' water service remained uninterrupted
35 during the outage. Mr. Dahlstrom also stated that PG&E has recently announced that
36 there will be Public Safety Power Shutoffs during high wind and fire hazard conditions.
37 He indicated that there will be a meeting held on September 26th with Office of Emergency
38 Services, PG&E and governmental officials to discuss supplies during power outages.
39

40 Mr. Dahlstrom stated that the conveyance losses or "unaccounted for" water losses that
41 have accumulated over time for the last several years are still a topic of discussion with
42 USBR and remain unresolved at this time.
43

44 Mr. Dahlstrom reported the State Water Resources Control Board is meeting today
45 September 17th to certify the Environmental Impact Report and adopt the Water Rights
46 Order for the continuing operation and maintenance of the Cachuma Project under
47 permits 11308 and 11310. He reported that Mr. Paeter Garcia, District Legal Counsel, is
48 in attendance to express the District's comments related to the proposed Order. He stated
49 this Order has significant implications for the Cachuma Project and the issues of regional
50 water supply, protection of public trust resources (fisheries), and the protection of
51 downstream water rights. He indicated that the U.S. Bureau of Reclamation will also be
52 required to study fish passage and the effects of diversions on the fisheries, among other
53 plans and studies required by the Order. Mr. Dahlstrom stated he would provide further
54 information at the October meeting.
55
56

1 2. 2020 Water Service Contract

2 Mr. Dahlstrom stated there is no new information relating to the 2020 Water Service
3 Contract negotiations at this time.
4

5 B. Sustainable Groundwater Management Act

6 1. Eastern Management Area Update

7 Trustee Joos stated there has been no recent activities related to the Eastern Management
8 Area Groundwater Sustainability Agency. He stated the next meeting will be held in
9 October.
10

11 X. REPORTS BY THE BOARD MEMBERS OR STAFF, QUESTIONS OF STAFF, STATUS REPORTS,
12 ANNOUNCEMENTS, COMMITTEE REPORTS, OBSERVATIONS AND OTHER MATTERS AND/OR
13 COMMUNICATIONS NOT REQUIRING ACTION
14

15 Trustee Joos provided information to the Board on leak detection devices that customers can
16 research and purchase if they would like to monitor their water usage for identifying possible
17 leaks. He indicated there are a number of devices on the market that can be installed on the
18 customer side of the water service, so it does not interfere with the District's metering. Trustee
19 Joos indicated this would be good information to include in the District's next newsletter edition.
20

21 Trustee M. Burchardi reported the District's Ad Hoc Committee, consisting of Trustee Clay and
22 himself, met on August 29th with the City of Solvang representatives to discuss water supply and
23 wastewater issues, as well as potential long-term consolidation of utilities. Mr. Dahlstrom
24 provided a historical account of previous discussion with City of Solvang representatives related
25 to water issues, legal and technical costs, and potential consolidation.
26

27 Mr. Dahlstrom reported on Senate Bill 1. He stated the Bill is looking to roll back or oppose
28 anything that is done under the Endangered Species Act at the Federal level. He explained this
29 Bill was passed by both houses and is currently on the Governor's desk awaiting his signature.
30 Mr. Dahlstrom explained that if signed by the Governor there will be significant constraints to
31 the Delta, effects on the Clean Water Act, and conflicts with the proposed State of California
32 Department of Water Resources Delta Conveyance Project as well. He stated staff will be tracking
33 the Bill and will provide further information when it is available.
34

35 Mr. Dahlstrom announced that Ms. Lydia Cardenas was recently hired to fill the District's vacant
36 Water Resources Associate position and will begin work on October 1, 2019.
37

38 The Board packet included the August 2019 Family Farm Alliance Monthly Briefing.
39

40 The Board packet included an August 30, 2019 Santa Ynez Community Services District Staff
41 Report regarding the request for proposal from the City of Solvang for undertaking Solvang
42 sewer system operations and an August 20, 2019 City of Solvang letter requesting a proposal for
43 Solvang Sewer System Operations.
44

45 XI. CORRESPONDENCE: GENERAL MANAGER RECOMMENDS THE ITEMS NOT MARKED WITH AN
46 ASTERISK (*) FOR FILE

47 The Correspondence list was received by the Board.
48

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

50 There were no requests from the Board.
51

52 XIII. NEXT MEETING OF THE BOARD OF TRUSTEES:

53 President Clay stated the next Regular Meeting of the Board of Trustees is currently scheduled
54 for October 15, 2019 at 3:00 p.m. Trustee Clay and Trustee Joos indicated that they would not be

1 able to attend the October 15st meeting as they would be out of town. The Board discussed and
2 concurred on an alternate date of October 17th in place of the October 15th meeting date.
3

4 **XIV. CLOSED SESSION:**

5 The Board adjourned at 4:44 p.m. for a brief recess. At 4:50 p.m., the Board reconvened and
6 adjourned to closed session to discuss agenda items XIV.A. 1. - 4.
7

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

9 [Subdivision (d)(1) of Section 54956.9 of the Government Code - 4 cases]

- 10 1. Name of Case: Adjudicatory proceedings pending before the State Water Resources
11 Control Board regarding Permits 11308 and 11310 issued on Applications 11331 and
12 11332 to the United States Bureau of Reclamation and complaints filed by the
13 California Sport fishing Protection Alliance regarding the operating of the Cachuma
14 Project and State Board Orders WR73-37, 89-18 and 94-5; and proposed changes to the
15 place of use of waters obtained through aforementioned permits for the Cachuma
16 Project
17
- 18 2. Name of Case: Adjudicatory proceedings pending before the State Water Resources
19 Control Board regarding Permit 15878 issued on Application 22423 to the City of
20 Solvang regarding petitions for change and extension of time and protests to the
21 petitions
22
- 23 3. Name of Case: Santa Barbara Superior Court Case No. 18CV05437, Santa Ynez River
24 Water Conservation District, Improvement District No.1 v. Holland, et al.
25
- 26 4. Name of Case: Santa Barbara Superior Court Case No. 19CV01873, Cachuma
27 Operation and Maintenance Board v. Santa Ynez River Water Conservation District,
28 Improvement District No.1
29

30 **XV. RECONVENE INTO OPEN SESSION**

31 [Sections 54957.1 and 54957.7 of the Government Code]
32

33 The Board reconvened to open session at 5:45 p.m. Mr. Dahlstrom announced that the Board met
34 in Closed Session concerning Agenda Items XIV.A. 1-4. He reported that there is no reportable
35 action on the Agenda Items XIV.A. 1-4.
36

37 **XVI. ADJOURNMENT:**

38 Being no further business, it was **MOVED** by Trustee M. Burchardi, seconded by Trustee Joos
39 and carried by a unanimous 5-0-0 voice vote, to adjourn the meeting at 5:46 p.m.
40
41

42 **RESPECTFULLY SUBMITTED,**
43
44

45 _____
46 Mary Martone, Secretary to the Board
47
48

49 **ATTEST:**

50 _____
51 Jeff Clay, President
52

53 **MINUTES PREPARED BY:**
54
55

56 _____
57 Karen King, Board Administrative Assistant

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT
 IMPROVEMENT DISTRICT NO. 1
OCTOBER 4, 2019 SPECIAL MEETING MINUTES

A Special Meeting of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No. 1, was held at 10:00 a.m. on **Friday, October 4, 2019** in the Conference Room at 1070 Faraday Street, Santa Ynez.

Trustees Present: Harlan Burchardi Jeff Clay Brad Joos
 Lori Parker Michael Burchardi (via teleconference)

Trustees Absent: None

Others Present: Chris Dahlstrom Mary Martone Jeff Dinkin

I. CALL TO ORDER AND ROLL CALL:

President Clay called the meeting to order at 10:00 a.m., he stated this was a Special Meeting of the Board of Trustees. Mrs. Martone reported that five members of the Board were present, with Trustee Michael Burchardi participating via teleconference from *One Burlington Mall Road, Burlington, MA 01803*.

II. PLEDGE OF ALLEGIANCE:

President Clay led the Pledge of Allegiance.

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

Mrs. 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 54950, specifically Section 54956 relating to noticing for a Special Meeting, and also pursuant to Resolution No. 340 of the District. The affidavit is filed as evidence of the posting of the agenda items contained therein.

IV. PUBLIC COMMENT:

There was no Public Comment.

V. CLOSED SESSION:

The Board adjourned at 10:02 a.m. to closed session to discuss agenda items V.A.

A. PUBLIC EMPLOYMENT: Job Title - General Manager [Section 54957 of the Government Code]

The Board reconvened to open session at 11:30 a.m. Mr. Dinkin reported out of closed session that Mr. Chris Dahlstrom announced his retirement from the District effective January 2, 2020 due to health concerns and the Board of Trustees directed Legal Counsel to take further steps towards filling the General Manager's position effective January 2, 2020.

The Board members expressed their gratitude to Mr. Dahlstrom for his years of service.

VI. ADJOURNMENT:

Being no further business, it was **MOVED** by Trustee H. Burchardi, seconded by Trustee Joos and carried by a unanimous 5-0-0 voice vote, to adjourn the meeting at 11:31 a.m.

RESPECTFULLY SUBMITTED,

DRAFT

Mary Martone, Secretary to the Board

ATTEST:

Jeff Clay, President

MINUTES PREPARED BY:

Karen King, Board Administrative Assistant

DRAFT

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BOARD OF TRUSTEES
SANTA YNEZ RIVER WATER
CONSERVATION DISTRICT, ID No.1
October 17, 2019

Consent Agenda Report

CA-1. Water Supply and Production Report. Overall, the water production was significantly less than the 10-year running average for the month of **September** to meet the lower demand for domestic, rural residential and agriculture water caused by mild weather conditions and shift with lower customer usage. This is below typical of water produced for this month in past years. Water conservation by ID No.1 customers remains a major factor in overall total use. ***This resulted in total water production that was 109 acre feet (AF) or 22.1% less water demand for the month than the 10-year running average as shown on the Water Production Report.***

Since the 2019-20 rainfall season began on September 1, 2019, there has been 8% of rainfall recorded through September 30, 2019 at Lake Cachuma. Rainfall at the lake for the “year” is 0%. The USBR Daily Operations Report for Lake Cachuma in **September** recorded the lake elevation at 735.64’ with the end of month storage of 144,475 AF compared to the end of August level of 737.07’ or 148,083 AF. USBR recorded precipitation at the lake of 0.01 inches in September for a year total of 00.01 inches. The Lake storage was not supplemented with SWP water being imported by the South Coast agencies. The end of September actual Evaporation was 1,163.3 AF. USBR reinitiated actual evaporation being deducted from Project Carryover and SWP water effective October 1, 2017.

USBR initially allocated only a 20% water delivery for WY2018-19. ID1’s prorated share is 530 AF. With conditions hydrologic and water supply conditions improving throughout this rain season through March and the lake over 70% of capacity, ***USBR re-allocated 100% deliveries to the Cachuma Member Units as of April 1, 2019.*** Currently the lake is at 76.6% of capacity. At a point when the reservoir storage exceeds 100,000 AF, the Cachuma Member Units typically received a full allocation. Conversely, a 20% reduction from the pro-rated full deliveries would occur at less than 100,000 AF and incremental reductions at other lower storage levels. These terms were superseded by USBR allocation reduction this year. ***The amount of Cachuma Project Exchange Water delivered was 476 AF for the month.***

Fish Conservation Pool filled in 2010 to elevation 753.00’ to capture approximately 9,200 AF for fish releases the year of a spill condition and the year following as is now being used. The fish Passage Supplement Account (PSA) of 3,200 AF and the Adaptive Management Account (AMA) water was reset at 500 AF. As of October 1, 2018 the AMA Fish Account was restored 3,551 AF with the lake level rebound this past winter.

There were Fish releases as incorporated in the Downstream Water Rights Releases as part of the Settlement Agreement. Below explains the reasons for the flows recorded in Hilton Creek and in the Stilling basin which are direct excerpts from the ESA Section 7 Consultation 2000 Biological Opinion issued to USBR:

NMFS 2000 Biological Opinion Requirements in a Spill Year with Surcharge

- *10 cfs at Hwy 154 Bridge - year of a spill exceeding 20,000 AF*
- *1.5 cfs at Alisal Bridge - year of a spill exceeding 20,000 AF and steelhead are present at Alisal Reach*
- *1.5 cfs at Alisal Bridge - year immediately following a spill exceeding 20,000 AF and if steelhead are present at Alisal Reach*

NMFS 2000 Biological Opinion Requirements in a Minimal or No-Spill Year with Surcharge

- 5 cfs at Hwy 154 - less than 20,000 AF spill or No Spill and Reservoir Storage above 120,000 AF
- 2.5 cfs at Hwy 154 – in all years with Reservoir Storage below 120,000 AF but greater than 30,000 AF
- 30 AF per month to “refresh stilling basin and long pool” – less than 30,000 AF in Reservoir Storage and re-initiate consultation.

Currently, the gravity flows originating from the barge and at the outlet works through the Hilton Creek Emergency Backup System (HCEBS) travel through the Hilton Creek Watering System piping and are released directly to the diffuser box at the Upper and Lower Release Points (LRP), with delivery to **Hilton Creek for September of 157.7 AF and supplemental fish passage flows from the outlet works for the month is 228.1 AF for a total of 385.8 AF.**

There has been **30,468.4** AF of water released as of September 30, 2019 for fish since the year after the spill in 2011. During a Downstream Water Rights release, fish water is included within the release amounts according to the settlement agreement. Once those releases concluded, “Project” water will continue to be debited although the fish water is being diverted from the Stilling Basin below Bradbury Dam. With the fish Conservation Pool rearing water account, a total of **35,153.0** AF has been released for fish during the period following the spill condition in 2011.

DWR’s initial allocation for WY2019 is 10% or 70 AF for ID1’s prorated share. In February, DWR increased the allocation to 35% or 245 AF. DWR increased the allocation to 70% in April or 490 AF for ID1. On June 19, 2019, DWR announced its final allocation increase to 75% or ID1’s share of 525 AF including the drought buffer. **The District’s SWP “Table A” delivery was 0 acre-feet in September with accounting for the return (15 AF in September)** of transferred water to the City of Solvang in an effort to avoid spill of its purchased supplemental SWP water that was stored in San Luis Reservoir in 2017.

The District’s river water supply production remains available and consistent with all licensed well fields operational. Currently, with livestream conditions downstream in accordance with WR89-18, credit in the ANA is first priority water being replenished in Cachuma and expected to be whole with the end of the inflow recession. This allows for the District to produce its full licensed amount should it be needed. The District’s Upland Groundwater well production remains operational.

Direct diversion to USBR and the County Park was 2.02 acre-feet. For the month, 0.18 AF was produced from the Santa Ynez Upland wells. The 6.0 cfs river well field produced 0.00 AF for the month and 0.00 AF was produced from the 4.0 cfs well field.

Santa Barbara County recorded rainfall for **September** in Santa Ynez at 0.00 inches. The average rainfall is 0.12 inches for the month and the year-to-date (September 1 to August 30) average total is 22.05 inches. The Santa Ynez River watershed Antecedent Index (AI) or soil saturation remains dry condition. The total rainfall in the upper watershed of the Santa Ynez River Basin above Cachuma was 0.00 inches or 0% for the year. Lake Cachuma received 8% of normal rainfall to date at the County’s rainfall gauge. According to the CIMIS report for the month, rainfall in Santa Ynez was 0.00 inches with no crop frost protection days.

NEW INFORMATION BELOW IS PRESENTED IN BOLD TYPE

CA-2. Status of WR 89-18 Above Narrows Account.

The USBR report for May 31, 2019 for the Above Narrow Account (ANA) and Below Narrows Account (BNA) shows the Above Narrow Account (ANA) and Below Narrows Account (BNA) at 13,278 AF and 3,029 AF, respectively. **No downstream water rights released will occur in 2019.**

ID No.1 staff performs field monitoring on behalf of and jointly with the Parent District and fisheries data collection during the water rights release period. Staff also conducts stream gauging to determine live-stream events at San Lucas Creek for reporting to the SYRWCD and USBR. Live Steam conditions ceased in the SYR watershed.

CA-3. Report on State Water Project – Central Coast Water Authority Activities. In June, DWR increased the allocation to the State Water Contractors to 75% of delivery requests due to well above average snow pack and precipitation in the 8-station index region. No change in deliveries are expected. DWR revised its initial allocation in February and increased the amount to 35% of deliveries requested.

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The CCWA Personnel Committee meeting took place on September 26, 2019. The Committee reviewed the Succession Plan for the retiring current Controller. The Committee recommended re-instating the Senior Accountant position.

The CCWA Board of Directors met on September 26, 2019.

The Board of Directors considered the controllers report and the operations report including the water delivery update.

The water supply outlook was presented with the Table “A” allocations from DWR and described the pumping restrictions and alternative methods of delivery to Cachuma for the south coast contractors.

Staff presented an update on the New Delta Conveyance Project, known formally as the twin tunnels and the Ca Water Fix, was explained as planning for a smaller, single tunnel through the delta region. The costs of the project were provided at \$14 billion with the estimated acre foot cost of \$1,288. The planning costs for the CCWA participants are \$3.75 million. The SWC and DWR continue to meet in the negotiation sessions. DWR has yet to develop a Project Description, with the agreement in principle still pending. DWR is requesting the Opt in/out decisions by January. CCWA is anticipating a participation decision by the CCWA parties at the October meeting.

Suspended Table A Reacquisition was discussed. The CCWA Board of Directors will be moving forward with hiring Environmental Science Associates (ESA) to prepare an Environmental Impact Report (EIR) for the reacquisition of 12,214 acre-feet of suspended Table A water at a cost of \$293,962. There are currently now five CCWA agencies participating (Guadalupe backing out and MWD in) with interest by some other CCWA project participants not already participating in the reacquisition.

CCWA sent a letter requesting DWR assure cost allocations at the San Joaquin Division are accurate prior to the issuance of the 2020 Statement of Charges.

An update was provided on the bypass route. USBR approved the design for the pipeline beside the spillway and over the access road on top of the dam. CCWA is in the process of ordering materials

with construction to be completed by the end of October. CCWA is working with USBR to include this project in the Warren Act Contract.

The Board approved the Personnel Committee recommendation.

The acquisition of the 12,214 AF of Suspended SWP Water has moved forward with approval by the Board of Supervisors at a meeting in February. CCWA will continue to pursue the acquisition through DWR on behalf of the parties requesting water including the Cities of Santa Maria and Guadalupe, ID No.1, and the City of Solvang through ID No.1's contract. DWR and the County will require reimbursement of those past costs. ID No.1's share is estimate to be \$1.4 million based on its 500 af request. The annual cost of the water is anticipated at \$150/af plus treatments costs. The Board of Supervisors met on October 4th and did not approve the reacquisition of the 12,214 for Santa Maria, ID No.1 and Solvang, Guadalupe, and the newest request from Carpinteria Valley Water District. This is a setback with the Supervisors not acting in the best interest of the requesting agencies and possibly jeopardizing ID No.1's 800 AF of the last available SWP water.

The Board of Supervisors acting as the Board of Directors of the SBCFCWCD met again on November 1, 2016, heard public comments from all the participating CCWA agencies, and voted to move forward with developing an agreement with CCWA to acquire the remaining 12,214 AF on behalf of the five requesting agencies. An agreement is expected completed prior to the end of the year. A meeting is scheduled for December 13, 2016.

The Board of Supervisors approved the liability and indemnification agreement between the County and CCWA and voted 3 to 2 to move approve the reacquisition of the Suspended SWP water for the parties including ID1 that will receive 500 AF.

DWR has authorized CCWA to prepare an EIR on the suspended water reacquisition. A CEQA lead agency agreement was approved by CCWA; the county has yet to approve the agreement. Additionally, to ensure the County will move forward with the acquisition process once those participating agencies (including ID No.1) commit to funding the CEQA review, CCWA is seeking an implementation agreement with the County. The agreement terms are being negotiated between CCWA and SB County.

Board of Supervisors acting as the Board of Directors of the SBFC&WCD met on May 2, 2017 to discuss and concur with the lead agency agreement between DWR and CCWA authorizing CCWA to proceed with EIR for the suspended water reacquisition. Supervisor Williams conditioned the agreement to use this water as a mechanism to control growth by not allowing transfers or sale of this water by those parties acquiring this suspended water including ID1, the north county agencies, and the Carpinteria Valley Water District which entered this arrangement very late in the process. There was opposition to CCWA preparing the EIR and comments made to re-open the Water Supply Retention Agreement. Misinformation was presented about the reacquisition process and the SWP agreements. Following this diversion from the agenda item, the Board voted 3-2 approving CCWA as the lead agency.

The contract assignment underway between CCWA and SB County may have an effect on the Suspended Water Reacquisition timing and process.

Contract Assignment from SB County to CCWA will allow a direct interaction between the CCWA contractors with DWR for the reacquisition of SWP water.

A final participation decision by all CCWA parties is needed by CCWA in September 2019. **The City of Guadalupe withdrew, and Montecito Water District enlisted.**

Minimal progress has been made with Santa Barbara County as of this date for reacquisition of the suspended water.

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On August 29, 2017, CCWA provided costs and financing of the California WaterFix project, (the Twin Tunnels). The information is presented to give an idea of the estimated costs of the Cal WaterFix project for each agency as well as the financing structures being proposed to finance the project.

As of November 2017, all irrigation contractors in the Cal WaterFix have withdrawn from or substantially reduced participation. This will likely create a shift in the cost allocation and increase the acre foot costs of the project as defined and require a reevaluation of the contracting language.

The new Governor of California has stepped away from the Ca Waterfix after years of planning and environmental sunk costs and will now pursue the new diversion and bypass project named the Delta Conveyance project. \$300 million of new planning costs are estimated.

The State is now proposing the Delta Conveyance Project as a single pipeline with an estimated \$14 billion cost. The SWC are considering costs and participation at this time.

CCWA is requesting its member's decision to participate prior to the CCWA Board meeting in October 2019.

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CCWA and the contracting agencies continue to work on our pursuit of the assignment of the State Water Contract from Santa Barbara County to CCWA. CCWA Board is scheduled to vote on the amendment to the JPA agreement and the amendments to the Water Supply Agreements at its meeting on October 26, 2017. ID No.1 needs approval prior to the October 26th CCWA Board meeting. Additionally, CCWA is meeting with DWR on September 19th and hope to get more clarification from DWR on its positions regarding the assignment.

With the CCWA and its contracting agencies approval of the assignment and a Bond rating analysis, this paves the way for DWR to take action consenting to the assignment. Once this occurs prior to the end of the calendar year, it is anticipated that SB County will take action in January 2018.

The Bond Rating for CCWA was accepted by DWR in March 2018 and CCWA expects DWR's approval of the assignment.

CCWA is requesting DWR to notify SBFC&WCD indicating the assignment can move forward. The notification was expected the week of September 10, 2018.

CCWA provided notice to Santa Barbara County regarding next steps in the process following DWR's concurrence to assign.

The 3rd District Supervisor Joan Hartmann agreed to meet with representatives from CCWA, ID1, and City of Buellton on December 6, 2018 regarding the logic and benefits of Contract assignment from the County to CCWA. The one hour meeting provided an opportunity to present the positions of her constituent agencies in this region, hear the reasons for local agency contracting, and allow for questions. A follow up meeting may be scheduled before the matter goes before the Board of Supervisors in February 2019.

No progress has been made to date on the County's assignment of the contract.

CA-4. State Water Resources Control Board (SWRCB) Permits, Environmental Compliance and Hearings Update

The first phase of the SWRCB continuing jurisdiction hearing on the Cachuma Project Applications 11331 and 11332 took place in November 2000 and were specific to the "Place of Use" revisions. The SWRCB continued the hearing for the Phase 2 portion which was held in October and November of 2003 and based on the SWRCB's Draft Environmental Impact Report ("EIR") released in August 2003 for the continuing operation of the Cachuma Project. Joint legal representation at this hearing involved USBR, SYRWCD, SYRWCD, ID No.1 and CCRB and the focus was proposed changes in the Cachuma Project operations based on the protection of the public trust resources - the Southern Steelhead trout, modifications to the water rights permits, and the Settlement Agreement.

Since then, the SWRCB revised the DEIR in 2007 and included two additional alternatives that could affect the hearings and decisions before the SWRCB in 2003. ID No.1 provided extensive comment during the review period as did others involved in the joint representation. In order to update the RDEIR, the SWRCB engaged Impact Sciences Inc in November 2009 to review the hearing testimony, analyze two DEIR's and provide the necessary updates, and complete to a final EIR with response to comments.

Because the SWRCB did not have adequate funding for Impact Sciences to conduct the required work, in May 2010 the SWRCB division of water rights requested that CCRB and ID No.1 provide financial assistance which was approved by both agencies in the amount of \$85,000 and forwarded to the State General Services in June 2010.

Impact Sciences has delivered the Administrative Final EIR to the SWRCB staff on August 27, 2010 with an expected water rights decision issuance in late fall early or winter 2010, or should a hearing be needed, spring 2011.

Based on a meeting on February 7th with the SWRCB staff, additional delays will occur in the EIR process which will affect the hearing date. Circumstances, including staff availability and funding in the water rights division has now pushed the possible date for a decision without water rights hearing for a least 6 months. Should a hearing be required, it may take up to 2 years.

Recent discussions indicate that the State Board staff may revise the DEIR alternatives and environmentally preferred alternative. It is the position of ID No.1 and CCRB that alternative 3C which analyzed current operations with the existing BiOp and Water Rights Order 89-18 with modifications, and recognizes the Settlement Agreement is the environmentally preferred alternative. Other alternatives will have impacts on water supplies and the continuing operations of the Cachuma Project. No time frame has been indicated by the State Board Staff as to the completion of the Final EIR.

On April 1, 2011, ID No.1 received the re-circulated and modified "2nd Revised Draft Environmental Impact Report" from the SWB for comment which were due on May 16th 2011. The 2DEIR shows the new "no action" alternative as 3C and the "environmentally superior" alternative as 4B the SWP exchange for BNA water to Lompoc. Other SWB updates are incorporated in the 2DEIR. ID No.1 management, special legal counsel BB&K, consultants Stetson Engineers and Hanson Environmental will review the 2DEIR for changes and provide water resources, hydrology, biologic, and legal comment letter by the deadline. This will be coordinated with the Parent District and CCRB.

The Parent District and ID No.1 legal counsel and management are in the process of completing a joint comment letter to the SWRCB, which the Parent District took the lead in preparing. The letter content is being coordinated with the CCRB for consistency. Comment period was extended from May 16th to May 31st.

The SWRCB has assigned David Rose as the legal counsel to handle the responsibilities for the 2DEIR in place of Dana Differding who is on maternity leave for up to one year. It appears that the State Board Staff will make an effort to finalize the EIR, including the responses to comments by year's end. However, this will require the ID No.1 and CCRB (excluding Carpinteria Valley Water District because it withdrew from CCRB) to provide additional funding for the completion of the document.

With the recent additional funding approved by both ID No.1 and CCRB 3 in the amount of \$45,000 to fund the SWRCB for completion of the FEIR, to date the Member Units have provided a grand total of over \$675,000 for this SWRCB environmental process. Carpinteria Valley Water District participated as a Cachuma Project Member Unit in sharing the \$45,000.

Impact Sciences, the SWRCB consultant for the preparation of the FEIR, completed work on the response to comments and finalizing the EIR. SWB staff has indicated that a Final EIR may be completed by mid-November.

On December 8, 2011, the SWRCB as the lead agency under CEQA announced the completion and availability of the FEIR for consideration of modifications to the Cachuma Project Water Right Application 11331 and 11332. The FEIR will be included in the SWRCB hearing administrative record unless Parties to the proceedings object by January 9, 2012. Should there be an objection and it is likely the SWB will hold a hearing.

The SWRCB received comment and objection letters from several parties including the Environmental Defense Center on behalf of CalTrout, Department of Fish and Game, National Marine Fisheries Service, among others.

The SWRCB has supportive documentation by its deadline of February 28th. The hearing date for the FEIR to be incorporated into the administrative record is set for March 29 and 30, 2012. A significant collaborative effort is underway between USBR, ID No.1, Parent District, and CCRB to prepare for the hearings.

The SWRCB hearing involved the joint advocacy participants and witnesses of ID No.1, Parent District, and CCRB along with USBR to support and defend the SWRCB's FEIR and the elements contained within the document to be incorporated into the record for a later determination of the Water Rights Order. The opposing parties were the Environmental Defense Center (EDC) and their witnesses on behalf of CalTrout, who representatives were noticeably absent from the hearings, as well as the National Marine Fisheries Service and the California Department of Fish and Game. The Board Hearing Officer issued the ruling on April 5 to incorporate the FEIR into the record with minor corrections to be made prior to the Board certification of the document.

The SWRCB Division of Water Rights may have a water rights order issued by October 2012.

In a recent update from the SWRCB Division of Water Rights, it is unlikely that a hearing will take place in 2012 on a Water Rights Order and FEIR certification for the continuing operation of the Cachuma Project under permits 11308 and 11310. No time has been set by the SWB for 2013.

On Thursday, February 7th, the SWRCB staff rescinded the place-of-use issuance in the 2000 Phase I hearing for the GWD. Although this is not expected to affect the issuance of a draft water rights order for continuing operation of the Cachuma Project. Charlie Hoppin, SWRCB Chairman will not be continuing his position which is likely to significantly affect the timing of the draft water rights order.

SWRCB has indicated that a draft order is scheduled for 1/14/2014 which is one year nine months from the hearing in 2012.

Recent indications that the SWRCB will schedule a hearing on the Draft Water Right Order for permits 11308 and 11310 in October 2013 as reported by Cal-Strategies. However, information from other sources now report that the State Board now appears to have delayed the timing of a hearing to after the first of the year.

Cal-Strategies recently reported that an internal closed session of the SWRCB may occur on January 7, 2014. At this point, no progress has been made in accelerating the water rights order issuance.

Information indicates that the SWB will meet in closed session now in mid to late February on the internal draft water rights order. The State Board is discussing water transfers and drought preparedness in response to the lowest allocations on record to agricultural users and communities.

The SWB has cancelled all water rights activities and hearings due to the drought proclamation by the Governor. The latest information from SWRCB staff is that the hearing may occur in October.

SWB staff has indicated that the Board may meet in closed session in late July or early August. Recent communications with SWB staff indicate that the drought and state-wide water supply issues will take priority and the focus of the SWB will be on those matters. No time has been provided for a hearing.

The State Board may meet in closed session in December to review a Draft Water Rights Order for permits 11308 and 11310 as a result of the hearings that took place in October 2003 and March 2012 on the EIR.

The SWRCB calendar does not show any session in December for Draft Water Rights Order on the Cachuma Project. The last SWB hearing activity was March 2012. SWRCB calendar does not show any session in January 2015.

After hearing a report and confirmation from CCRB's consultant Cal Strategies that the SWRCB would have its closed session hearing on February 17, 2015 with a release of a draft Water Rights Order the following day, this date has once again been pushed. ID1 will continue to check the SWRCB hearing calendar.

No SWRCB hearing date has been set due to the recent Governors orders for continuing State-wide drought conditions and increased regulatory actions taking priority.

The SWRCB held a closed session on the Draft Water Orders on August 22, 2016. Although there was nothing to report out of the closed, management contacted SWRCB staff to inquire about timing of the Order. On September 7, 2016 the Draft Order amending permits 11308 and 11310 was issued to the Bureau of Reclamation and copied to the parties in the past hearings including ID No.1. The Draft Order is under review by ID No.1 management, its consultants (Stetson Engineers and Hanson Environmental), and special legal counsel with comments due back to the SWRCB by noon on October 25, 2016.

The SYRWCD and ID No.1 jointly requested a time extension to provide comments from the SWRCB that is consistent with USBR and others. Because of the complexity of the Draft Order, 45-days were not enough time and therefore the request extends to after the first of the year. The SWRCB granted a time extension to December 9, 2016 as the deadline for submittal of comments.

ID No.1 submitted its comment letter to the SWRCB by the deadline. The comment objected to the SWRCB adoption of 5C or more water for public trust resources steelhead rather than the adoption of the environmentally superior alternative of 3C, a balanced water option between steelhead and water supply. ID No.1 coordinated with the SYRWCD to develop a common position but separate letter. Other parties

providing comments on the SWRCB Draft Order included USBR, CCRB, NOAA-NMFS, CDFW, EDC/Caltrout, & Cal Farm Bureau.

The special interest group's submitted comment suggesting the SWRCB extend beyond alternative 5C and the NMFS recommended postponing the adoption of the Order to include the 2016 BO. Sample letters are in the Board packet and the entire set of letters can be made available upon request.

A notice was provided in early March 2018 related to the change in the noticing recipient list.

SWRCB held a closed session hearing on August 7 2018. No information to date has been forwarded by the SWB staff.

Additional SWRCB closed session hearings were held on August 28 and 29, 2018. No information to date has been forwarded by the SWB staff.

The SWRCB held a closed session item on Permits 11308 and 11310 on March 5 and 6, 2019.

On March 27, 2019 the SWB issued the Revised Draft Order Amending Permits 11308 and 11310 for continuing operation of the Cachuma Project. The 371 page order reflects terms for continuing operations by USBR, conditions for protection of downstream water rights and public trust resources, and conditions for water supply. The comment period ends on April 29, 2019 at noon. On April 5, 2019, a joint letter from CCRB, SYRWCD, ID#1 and City of Lompoc was sent to the SWB requesting a 45-day extension given the complexity and content of the order. The extension request by the local interests was supported by USBR.

The Extension was approved by the SWRCB and comments are due in June. ID No.1, USBR and CCRB submitted comments to the SWRCB on the draft order.

The State Water Board provided notification that it would return to closed session on July 16, 2019 to discuss the pending draft order.

A new date was set for a closed session hearing by the SWB of August 20, 2019.

The SWRCB scheduled a hearing on September 17, 2019 to certify the EIR and adopt the Water Rights Order for continuing operation and maintenance of the Cachuma project under permits 11308 and 11310. This order has significant consequences on the Cachuma Project water supply by the need for protection of the public resources (fisheries) and further protects the downstream water rights. The US Bureau of Reclamation will also be required to study fish passage and the effects of diversions on the fisheries among many other plans and studies required by the SWRCB.

The SWRCB issued a final Water Rights Order on September 17, 2019.

CA-5. National Marine Fisheries Service – 2000 Biological Opinion issued to USBR for the Continuing Operations of the Cachuma Project and Section 7 Re-Consultation

The 2000 Biological Opinion (BiOp) issued by NMFS requires USBR to comply with the terms and conditions (T&C's) and reasonable and prudent measures (RPM's) to avoid a take condition of the listed Steelhead/rainbow trout which allows for the continuing operations of the Cachuma Project for water supply purposes. The Cachuma Project Member Units are carrying out those requirements out on behalf of the USBR.

Under the 2001 MOU, CCRB representing the four south coast Member Units, and ID No.1 have jointly funded and conducted the studies, projects and monitoring requirements as defined in the T&C's and RPM's.

Two passage barrier removal projects have now received full and partial grant funding; Quiota Creek crossings #2 and #7 respectively. Although #2 was not the responsibility of the Member Units, (it is identified in the EIR as a Santa Barbara County Project), both projects may be needed to comply with the BiOp and avoid additional measures that may include additional water releases from Member Unit water supply for fish downstream of Bradbury Dam. The combined cost of these two bridge projects are estimated at \$1.8 million.

The Quiota Creek Crossings #2 was completed in 2011 within the contract time. A complete accounting will be provided. Crossing #7 funding is pending approval by the granting agencies. COMB included this crossing in the 2012-2013 Budget and the majority of the Board approved entering into a sole source contract with Lapidus Construction to build crossing #7.

Construction on crossing #7 is complete and a report from COMB regarding the budget will be forthcoming. Grant funding for Crossing #0 is being processed.

During the week of February 25th - 28th, USBR Staff Nick Zaninovich and Doug Deflitch were conducting Routine Operation & Maintenance Inspection of the Cachuma Project facilities. This is a routine inspection according to the SOP protocols. On Thursday February 28th, they visited the USBR owned and operated Hilton Creek watering system siphon/pump barge in order to perform maintenance on the pumps. After "testing the apparatus" on February 28, in the early hours of March 1st, an "incident" occurred and the Hilton Creek watering system lost the ability to siphon water from the lake, flows stopped at both the upper and lower release valves, and there was no water in Hilton Creek. The COMB Biology Staff (CBS) was notified by the USBR Dam Tender at approximately 10am and immediately went to Hilton Creek to rescue fish. NMFS was also notified by USBR of the situation and the fish mortality. At 12:30pm on March 1st, the pumps were activated and the water started flowing again.

CBS is documenting the situation with an incident report which will be submitted to the USBR. The USBR is currently working on an incident report. The system is currently using the pumps for pressurized releases at a higher rate of 8 cfs (16AFD) rather than 6 cfs (12 AFD) as the required target flows. USBR is attempting to install a temporary delivery system so that the Hilton Creek watering system can be assessed. The apparent USBR operator error or system infrastructure failure will be confirmed in a report.

A report was filed by USBR on March 13, 2013 regarding the Hilton Creek water system failure.

A regional power outage on June 24 2013 created another HCWS failure to deliver flows into the creek habitat. Because the HCWS was operating on power only and not in siphon mode, the system was down for several hours from 11:30 pm to 4:45 am according to USBR. Additional fish losses occurred and NMFS was notified. USBR has been working internally to develop a reliable and redundant HCWS. No definitive plans have been presented. Costs are reason that a backup system (Rain for Rent) was not put into place.

Currently, the system is functioning on a static level delivery flow of 7.7 cfs with no plans discussed with the MU's on the remedies to vary the flow rates or the system.

Hilton Creek water system continues to release 9.2 AFD or 4.6 cfs which is greater than the requirements in the 2000 BO. This water is "Project" contract water used as water supplies for the Cachuma Member Units. USBR has not yet remedied this problem because of funding issues.

Reclamation is investigating a redundant HCWS and repairs to the existing system with a time frame of a year or more.

On June 9, Michael Jackson of USBR reported to ID No.1 management that on the previous Thursday and Friday, USBR airlifted (using a helicopter) a replacement Hilton Creek pump onto the barge and now have both pumps repaired and operational. USBR staff will continue to monitor its system.

USBR installed a by-pass water line to the 10-inch outlet valve at the Control house for the purpose of supplying colder water to Hilton Creek. This installation may create constraints in the downstream water rights releases. USBR also compelled CCWA to install a by-pass and a high line over the radial gate sill to deliver SWP water into the lake rather than through the control house and intake works. The consequences of both actions have not yet been fully evaluated.

USBR has prepared a Draft BO on the focused consultation for the Drought Operations and Hilton Creek Watering System including the 30,000 AF Storage trigger in the reservoir thus reducing fish flows. The contents of the final Draft BO have not been made available, however, there are Parent District and ID No.1 concerns over any permanent connection at the outlet works to serve Hilton Creek affecting downstream and contract water delivery capabilities.

Negotiations are on-going with USBR regarding the 30,000 AF Storage triggering point for fish flows. The focused Draft BO for Drought operations and the reduced fish flows was withdrawn by USBR. No.1 and CCRB are meeting with USBR to present information to assist USBR in the consultation with NMFS related to lowering the fish flows to 1.0 AFD of 30 AF per month according to the 2000 BO. This is in comparison to the nearly 400 AF per month currently being released for fish into Hilton Creek.

ID No.1 jointly requested with CCRB that USBR modify and reduce fish releases into Hilton Creek to 30 Acre-feet per month in accordance with the 2000 BiOp. A joint letter was sent on July 15, 2014 and USBR subsequently requested additional information on the Cachuma Storage and hydrology. This joint information was forwarded on December 12, 2014. A request was made on January 5 as to the status of this action by USBR.

In accordance with the 2000 Biological Opinion, since the available water in storage is below the 30,000 AF trigger, USBR will consultant with NMFS to determine the outcome of the reduced fish flows to 1.0 AFD or 30 AF per month. No action has been taken to date and NMFS requested additional studies and analysis.

USBR submitted the additional information prepared jointly by USBR, CCRB, ID No.1, and CCRB as requested by NMFS for the Critical Drought Operations on June 10th and July 1st, 2015.

There is pending litigation, USBR v. Caltrout related to Hilton Creek and the Emergency Hilton Creek Pumping System. ID No.1 is an Intervener with the SYRWCD and CCRB with USBR in this case. The plaintiffs claim is "take" of the Endangered Steelhead/rainbow trout and temporary and permanent fixes to the HCEPS.

Settlement documents have been submitted by the USBR, the Intervening Parties and the Environmental Defense Center for CalTrout on September 23, 2015.

USBR successfully tested the Hilton Creek Emergency pumping System in late October to meet the conditions of the Settlement.

The parties to the USBR v. Caltrout settlement Agreement accepted the USBR the Hilton Creek Emergency Backup System as complete. As part Settlement conditions- Stipulation #2, the USBR called the parties to

meet on January 27, 2016 to review and take comments on the “Hilton Creek Enhanced Gravity Flow System” (HCEGFS) and proposed connection to the penstock. ID1 representatives Walsh and Dahlstrom provided testimony to USBR as well as the SYRWCD General Manager. Cal Trout and CCRB also provided input. Dale Francisco, a member of the public attended the meeting that was meant only for those parties to the litigation and Settlement Agreement. ID1 submitted its issues with this situation to USBR. This was neither a Brown Act meeting nor a public meeting.

USBR has not yet responded to comments regarding the HCEGFS.

With the Cachuma Project water available to the Member Units being less than 7,000 AF, on April 6, 2016 ID1 requested that USBR convene an AMC meeting to consider changes in passage, maintenance, rearing and critical dry year water for fish downstream of Bradbury Dam. ID1 requested that USBR lead this meeting to propose to NMFS that it allow the reduction of flows to 1 Acre Foot per day in accordance with the 2000 BO. It was suggested that this meeting is urgent given the lake levels and available water supply for human consumption.

Two AMC meetings meeting were conducted on April 29, 2016 and again on May 3, 2016 to discuss the reduction of fish flows, the emergency Hilton Creek pumping system, and fish rescue. NMFS and USBR are negotiating possible solutions. However, fish relocation will require a NMFS 135-day process at which time water will be unavailable.

Several AMC conference calls have occurred in May and June to determine the best means to sustain the existing population of trout in Hilton Creek. No final decision has been made to relocate fish except to consider trucking water to the creek as a temporary fix. An action will be needed prior and following to the downstream water rights releases.

The latest decision by NMFS and USBR following the July AMC meeting was to have water trucks available to fill tanks for making temporary releases into the lower release point of Hilton Creek as the downstream water rights releases commence and after the releases are terminated. Once those releases start from the outlet works, pressure to the Hilton Creek piping will cease and therefore no water would be delivered. Monitoring of the 57 trout in the Creek will continue.

Hilton Creek is being watered at the lower release point from trucked water into a set of tanks. Water comes from a source at outlet works. NMFS has not approved the trapping and relocation of those remaining Rainbow trout to a facility capable of ensuring survival.

Water to the lower release point of Hilton creek is provided from a pump system in the Stilling Basin. The water is essentially being recirculated with no refreshing releases anticipated from the outlet works. USBR is the lead on this project.

With the elevation of the lake now at 712’, USBR will be testing the Hilton Creek pump barge in March in anticipation of NMFS mandating fish flow resume to Hilton Creek beginning in April. Flows will be subject to the criteria in the 2000 BO.

USBR tested the Hilton Creek pump barge on April 7 and resulted in a failure mode which requires the continued use of the HCEBS at the outlet works to continue to gravity force water to the lower release point in Hilton Creek. No time or a cost estimate is forecast for repairs by USBR. As a result, CCWA was forced to re-install the bypass pipeline up the spillway and through Gate #4 rather than connect to the penstock at the outlet works control house as has been done over the past 25 years. CCWA deliveries of SWP water to the south coast will be through this temporary bypass.

CCWA was directed by USBR to cease delivery operations through the Bradbury Dam penstock by March 23, 2017. On April 14, 2017, the CCWA bypass pipeline was re-installed based on modifications and approval by USBR which allows CCWA deliveries of SWP water to resume. CCWA south coast agencies paid for the re-installation.

As of March 2018, CCWA deliveries to the lake were shut down from March 21 to March 27. Typical daily deliveries were 40 AF.

For the month of April, 2018, releases for fish at 4.48 AFD are made through the HCEBS and through the outlet works.

Fish releases continue through the HCEBS and outlet works. As of August 6, 2018 the downstream water rights account for fish release throughout the duration of the ANA/BNA release period.

The Downstream water rights releases were curtailed on September 12, 2018. Fish releases from Project Water into Hilton Creek resumed at a rate of 8.01AFD.

USBR made steelhead passage water releases the beginning on February 6, 2019 with the flow conditions in the Santa Ynez River and in accordance with the 2000 BO. Those releases are subject to an agreed upon schedule between USBR and NMFS and that come from the fish passage account of 3,551 AF. The starting flow rate is 60 CFS and then ramping down incrementally.

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On February 9, 2011, USBR submitted completed the documentation supporting compliance (Compliance Report) to NMFS with the requirements pursuant to the September 11, 2000 Biological Opinion. The binder contains responses and actions that address the 15 RPM's and associated Terms and Conditions. USBR staff recently requested the status of the 2008, 2009 and 2010 annual monitoring report, including trend analysis for 2005-2008 (Term & Condition 11-1) that was not contained in the Compliance Report. CCRB, ID No.1 and Parent District will review the update of the 2008 report within the next week for submittal to USBR. The 2009 and presumably 2010 reports are work in-progress being prepared by the joint biology staff.

The 2008 Annual Monitoring Report and Trend Analysis for 2005-2008 for the Biological Opinion for the Operation and Maintenance of the Cachuma Project on the Santa Ynez River was reviewed by ID No.1, Parent District and CCRB then finalized for submittal to USBR on June 22, 2011. On June 23, USBR submitted the document to the NMFS and will be incorporated into the USBR Compliance Binder.

The 2009 Annual Monitoring Report and Trend Analysis were made available in draft form for review by ID No.1, Parent District and CCRB on July 7. ID No.1 provided comments which were incorporated into the final document. The Report was reviewed by a COMB Fisheries Committee which provided comment on the Report. Although COMB and this committee is not part of the fisheries review process and/or on the Adaptive Management Committee (AMC) as defined in and as part of the 1994 or 2001 Fisheries MOU's with Reclamation and others, these comments were provided to COMB biology staff. Comments on the Report have not yet been circulated by the biology staff to the AMC or other agencies part of the Fisheries process to consider.

On October 27, the Biology Staff forwarded the revised Executive Summary of the 2009 Annual Monitoring Report and Trend Analysis for final review by CCRB, SYRWCD and ID No.1 along with their respective consultants. Comments specific to the text for funding sources and preparation of the document were provided by ID No.1. As of this date, the 2009 Report has not yet been sent to Reclamation.

NMFS issued a letter to USBR indicating delinquent monitoring reports; 2009, 2010 and 2011 as well as the RPM 6 related to the monitoring of 89-18 water rights releases. COMB was named in this letter for not having submitted the 2009 report by the August 24, 2011 due date. A response was requested of USBR.

On March 9, 2012, USBR submitted to the NMFS the 2009 Annual Monitoring Report and Trend Analysis for the Biological Opinion for the Cachuma Project. This document complies with RPM 11, T&C 11.1 of NMFS's Biological Opinion. The 2010 report is the next report for submittal. This document was prepared by USBR, the staff and consultants of the Cachuma Project member units.

USBR submitted to the NMFS the report for monitoring fish movement during water rights releases during a three year period. This document complies with RPM 6, T&C 1) A&B of NMFS's Biological Opinion.

Annual Monitoring Report 2010 was submitted to USBR in February 2013.

A draft 2011 Annual Monitoring report was recently made available on June 7 by the Cachuma Project Biology Staff with a due date of June 11 for review and comment. Given the demand for review and preparation of the Draft BA by June 28, this time is being reconsidered.

USBR submitted a June 3, 2013 letter to NMFS regarding the 2000 BO RPM 6 (downstream water rights releases) Study Plan. According to the SCCAO Area Manager, this plan for monitoring during water rights releases was produced by USBR and the Cachuma Project Biology Staff (COMB). In a conference call on July 1, 2013 between the downstream parties only and USBR (Michael Jackson, SCCAO Manager et. al.) a significant issue has been created with this action and the associated "Study Plan" because of the disregard of Reclamation to engage, consult or allow review of this action by the SYRWCD or any downstream interest that involves this water right release. According to Michael Jackson's explanation, this plan was worked on by Ned Gruenhagen of USBR and the "Cachuma Project Biologist", Tim Robinson of COMB. The significant issue herein lies with the lack of communication and involvement of the SYRWCD and downstream water rights interests, and with the additional conditions in this June 3 Study Plan (e.g. warm-water predator fish data and water quality analysis) that are not required in the 2000 BO.

The language in this study plan admits that these items are not a requirement (second to last paragraph on page 2). As a Cachuma Member Unit and as a downstream water right holder, COMB's action (understanding from USBR of the Cachuma Project Biology Staff's involvement) to engage in any activity beyond that of the 2000 BO is not allowable. In this circumstance, the Study Plan has created additional level of effort and provides that the CPBS of COMB will be conducting and immediately carrying out of these activities which are beyond the 2000 BO requirements; and, COMB becoming directly involved in water rights matters, thus violating the COMB JPA related to 1.3.h.i – "a matter involving water rights of any party".

The downstream parties were not apprised of the preparation of the Study Plan nor included in its development and unaware of this letter. Legal Counsel from the SYRWCD and ID No.1 are involved.

Conflicting information and inconsistencies related to the content of the draft 2011 Annual Monitoring report have caused USBR to hold the submittal.

The 2011 Monitoring report was modified by USBR and released in March.

The EDC has filed a 60-day notice of intent to sue USBR citing violation of the 2000 BO and the ESA because of the Hilton creek pump problems and referencing COMB's April 14, 2014 letter. According to Michael Jackson, the USBR Solicitor will be responding to both EDC and COMB.

USBR has responded to COMB and a rebuttal from COMB to USBR. Additionally, COMB's CPBS has completed a draft of RPM-6 related to water rights without the involvement of the SYRWCD or ID No.1 as a downstream user and as participants on the AMC. This has caused significant issues and COMB has engaged in water rights activities outside the scope of its authority.

USBR awarded the contract for Hilton Creek Emergency Backup System (HCEBS) to Sansone Company in the amount of \$659,993 and to be constructed by December 3, 2014. This is a reimbursable cost to USBR by the Cachuma Member Units.

EDC has filed a lawsuit against USBR related to the Hilton Creek Watering System interruptions and violation of the ESA and the 2000 BO terms and conditions.

The Annual Fish Monitoring Report for 2012 has not yet prepared nor released. COMB staff compiles the information for finalization by USBR.

An internal draft of the 2012 Annual Fish Monitoring Report was circulated to the consultant biologists of ID No.1 and CCRB as well as to the SYRWCD for comment. CCRB and ID No.1 will receive the draft prior to submittal to USBR. COMB biology staff prepared this document on behalf of ID No.1 and CCRB for Reclamation's compliance requirements in the 2000 BO. The document has not been sent to ID No.1 as of this date.

With the Water Rights releases beginning on August 3, 2015, COMB staff set up temperature and fish traps to capture predator fish and monitor rainbow trout. ID No.1 and SYRWCD staff is monitoring COMB activities as these procedures were not reviewed by the JDCA or 2001 MOU parties.

ID1 staff has prepared comments draft of the 2012 Annual Fish Monitoring Report ("AMR") which are due by September 15, 2015. COMB sent a PDF of the 2012 AMR to USBR on October 2, 2015. District management forwarded to USBR on October 5, 2015 a redline Word version to assure comments by District management, staff, and its consultants were incorporated in the AMR.

COMB staff has prepared a 2013 draft AMR for USBR which was reviewed by Chuck Hanson, ID1's fisheries expert. ID1 is a member of the AMC and is supposed to approve or consent to the AMR's being forwarded to Reclamation for submittal to NMFS. COMB has not abided by that process. It is unknown if COMB has forwarded the document.

As of March 2018, ID1 has not received notification from COMB that the AMR's from years 2014 to present have been prepared or submitted to USBR (this is the responsibility of ID1 and CCRB under the 2001 MOU to conduct and prepare these studies).

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USBR, ID No.1 and CCRB legal counsel and management have scheduled a meeting at the SCCAO in Fresno to open begin applicant status discussion for the *Section 7 Re-Consultation* process. This meeting on June 2, 2011 is the first of a regular series of anticipated monthly meetings with USBR over the next year.

On June 23, 2011, USBR submitted to NMFS a revised Draft Outline for the Biological Assessment ("BA") as part of the Cachuma Project Section 7 Re-Consultation. The first set of comments on Reclamation's BA outline (that was to be presented to NMFS on June 23, 2011), was discussed and submitted to Reclamation based on a joint action by the ID No.1, Parent District and CCRB (JDCA agencies) managers, attorneys (two attorneys for CCRB) and consultants. Keeping in mind that Reclamation provided the outline on June 22nd at 3:41 pm, it was requested that the JDCA agencies provide their comments back to Reclamation prior

to a 3:00 pm deadline on June 23, 2011. Reclamation revised its outline only incorporating some of the comments provided by ID No.1, CCRB and the Parent District which was sent to NMFS.

This was the first formal interaction with between the three JDCA agencies and USBR in the re-consultation process and it was the consensus of the JDCA agencies that USBR could have been more engaging and cooperative in this first round of re-consultation. It was the hope that Reclamation will be more amenable to our involvement. It is expected that the JDCA agencies will continue to implement and follow through with the cooperative process through the Reclamation/NMFS re-consultation and BO development.

A conference call took place on July 7 between representatives of USBR, ID No.1, Parent District and CCRB to receive an update from USBR regarding the draft outline for the Biological Assessment (“BA”). USBR considers the outline a skeleton as a starting point in the preparation of the BA and has now confirmed that the ID No.1, Parent District and CCRB will be significantly involved in working with USBR in the preparation of that document. The next meeting is scheduled for August 15th with NMFS to continue to formulate the draft BA outline and to review the BO Compliance Binder materials.

A re-consultation meeting between the NMFS, USBR and the Cachuma Advocacy group (ID No.1, CCRB and the Parent District) took place on August 22, 2011 to discuss the expanded outline and the 2000 BO Compliance Binder. NMFS staff expects a “new” Biological Assessment to include a revised baseline with the creek passage barrier projects. They acknowledged the Quiota Creek enhancements and other tributary projects that are not in the 2000 BO as voluntary. USBR, ID No.1, Parent District and CCRB will work together to develop the BA. Because of time constraints, the Compliance Binder review will take place during another meeting; which has not yet been scheduled.

A re-consultation coordination model was developed to organize the local participants (Parent District, ID No.1 and CCRB) in the Section 7 process with Reclamation and provide a procedure to effectively communicate and make decisions among the parties. The model also provides a communication tree among the agencies including Reclamation and the consultants.

Regular conference calls between the Parent District, ID No.1 and CCRB with consultants have occurred over the past month and during the preparation of the BA draft project description annotated outline. The core group will be attending a meeting with Reclamation on October 18th in Fresno to refine the annotated outline.

The meeting on October 18th included Reclamation staff, CCRB and SYRWCD representatives, and ID No.1’s special legal counsel. There was a review of the expanded and annotated Project Description outline for the Biological Assessment (BA). Reclamation will be providing technical and general comments to the document. Reclamation will also work with the three parties to establish a schedule for the preparation of the BA.

A conference call is schedule with Reclamation, ID No.1, Parent District and CCRB on January 13 to discuss “take” information and report recently released and submitted by COMB directly to NMFS.

A meeting was held on November 17 with the NMFS to discuss the Southern Steelhead Recovery Plan. NMFS representatives Penny Ruvelas, Mark Cappelli and staff presented to ID No.1, SYRWCD, and CCRB the plan elements that are non-regulatory but used as guidelines for recovery of the Southern Steelhead in the Santa Ynez River. Although not formally released, a point by point explanation of the elements, including flow regimes, habitat improvements, ground water monitoring, Bradbury Dam upstream tributaries and passage barrier mitigations, and target populations.

The Recovery Plan was released at the beginning of January 2012 with recovery costs for 8 creek and river systems, primarily the Santa Ynez River of \$389 million.

A schedule for the development of the Biological Assessment was jointly prepared ID1, CCRB and USBR to submit to the NMFS.

In June, the NMFS requested RFP's soliciting consultants to conduct flow, habitat and hydrologic studies in lower reach of the SY River below Bradbury Dam. The way in which that is being done is not compatible with the obligation NMFS has to "cooperate" with State and Local agencies to resolve water resource issues "in concert with" the conservation of endangered species. (ESA Section 2(c)(2)). This issue is being raised before the United States District Court in Santa Ana in the case of *Bear Valley Mutual Water Company et. al. v. Fish and Wildlife Service*. A ruling may occur before the Cachuma re-consultation is well advanced.

IDNo.1, the Parent District and CCRB are coordinating with USBR in the continuing development of the BA process and revising the schedule based on the recent actions of NMFS. USBR forwarded to NMFS on July 20, 2012 the revised annotated outline and schedule for the preparation of the Biological Assessment.

The NMFS is pursuing recovery as part of the future BO and through the Tri-County Fish Team (meeting on July 31) NMFS is soliciting input on priority projects from participants using the Threats-By-Watershed table which came out of the Southern Steelhead Recovery Plan. NMFS is formulating a Strategic Approach for implementing recovery in the Santa Ynez River. Caltrout has replaced Nikka Knight with Kurt Zimmerman, an attorney as its lead representative for the Santa Ynez and Ventura Watersheds. Caltrout is establishing an office in Ventura.

In a letter from the NMFS to Reclamation on October 22, 2012, Reclamation received a response to the July 20th submittal that only addressed the Draft BA schedule; rejecting the June 30, 2012 submittal date. The revised NMFS date of delivery for a Draft BA as determined by NMFS is January 1, 2013, along with NMFS's denial to provide the new scientific data and reports it conducted. USBR and the collaborating agencies decided that the NMFS delivery date was impractical and proposed the submittal of the Draft BA by May 30, 2013.

A significant work effort is being made by ID No.1, CCRB and the Parent District consultants and staff to develop and prepare sections of the BA for review by Reclamation. Many studies are being conducted which will be incorporated in the BA. A cost sharing agreement for legal resources between CCRB (88.42%) and ID No.1 (11.58%) was executed in mid-December. This agreement was ratified by the CCRB parties following the CCRB meeting. Since early December, Greg Wilkinson is looked to and directed in preparing certain tasks, reviewing all elements for the record, and to marshal this BA effort.

USBR has confirmed its need to have the Draft BA even though its review and comment time frame has not met the deadlines. The Draft BA is to be submitted on June 28 to USBR staff.

A limited number of the Draft BA chapters are being revised and re-written based on discussions with advocacy parties. USBR is aware of the revisions with a deadline for submittal of all chapters on August 23, 2013.

The USBR Area Manager has determined that USBR will complete the Draft BA for submittal to NMFS by Mid-October 2013. The USBR decision was based on a demand letter from CCRB indicating it will not deliver the remaining chapters to USBR until December 20, 2013.

On October 2, CCRB Board gave its approval to the Entrix to release chapters 4, 5, 6, 11 and the executive summary to USBR. The District provided comments on all chapters of the Draft BA and submitted additional information to USBR on October 8, 2013.

USBR is planning to submit the Draft BA to NMFS by mid-November 2013. USBR is no longer participating on the monthly calls due to conflicts.

Kate Rees, CCRB manager announced her retirement on January 31, 2014.

On November 21, 2013 USBR submitted the draft BA to NMFS. In a meeting between USBR and the downstream interests, including the SYRWCD and ID No.1 representatives only on November 25, 2013, USBR confirmed incorporating the most recent comments submitted by the downstream interests and other comments submitted by the south coast. USBR did make modifications. A copy of the draft BA will be forwarded by USBR to the District.

NMFS responded USBR on April 8, 2014 indicating the sufficiency of the draft BA with several additional data requirements as part of “consultation” including a discrepancy in the South Coast Member Units operational yield versus apparent over-diversion of water deliveries to the south coast with the issue of the absence of reductions in deliveries at 100,000 AF. Other data needs include south coast stream crossings and the inter-related south coast water conveyance systems. USBR responded on May 27, 2014 acknowledging the data requests and to work with NMFS and providing a Consultation schedule with at Final BO on April 15, 2015.

At a meeting held in August with Reclamation management, it was made clear that the Section 7 consultation will be between the two Federal agencies – USBR and MNFS. The Applicant Status requested jointly by CCRB, ID No.1 was denied by USBR but collaboration will be considered.

A meeting with USBR and ID1, SYRWCD and CCRB was held on October 27 at the SCCAO in Fresno to discuss the outlet works and the temporary and permanent plans, the Drought Operations Draft BA and the relationships between the agencies in the Cachuma Project. There was indication that NMFS will likely release a Draft Biological Opinion in January 2015. This is well ahead of the planned timing in mid-spring.

USBR met with NMFS on November 20, 2014 as part of the formal re-consultation. A follow up meeting between USBR, ID No.1, SYRWCD, and CCRB is scheduled for December 9, 2014.

On December 18, 2014, USBR formally requested an extension of 120 days for the consultation as a result of the December 9, 2014 meeting with NMFS. The purpose is to allow time provide NMFS with additional information as requested in their April 8, August 4, and September 30, 2014 letters. The NMFS Draft Biological Opinion is expected to be issued to USBR around May 30, 2015.

NMFS has requested USBR provide additional analysis and evaluation of the flow and habitat conditions downstream of Bradbury Dam among other informational requests related to migrant trapping data.

CCRB and Cal Strategies met with USBR on Tuesday May 5, 2015 unilaterally requested inserting the passage barrier removal projects on the tributaries (Quiota Creek) along the Santa Ynez River below Bradbury Dam into the Draft 2015 BO. Statements of “Assurances” were made by CCRB working with COMB to implement passage barrier removal in the SY River watershed and on the South Coast tributaries. Neither ID No.1 nor the Parent District was aware of the meeting or the discussion and decision by CCRB. ID No.1 will be contacting USBR. This issue has not been resolved.

Following a response letter to CCRB related to the above meeting with USBR and memorandum related to tributary commitments in the future, several calls and meetings have occurred between the JDCA parties to resolve issues.

There is information that a draft Biological Opinion may be released by NMFS in October 2015.

The Trush report prepared by Humboldt State University River Institute for Steelhead migration in the Santa Ynez River that may be included in the draft BO by NMFS is being peer reviewed by ID1 and now CCRB expert consultants.

According to a COMB report at the meeting on March 7, the 2012 monitoring report was submitted to USBR and the 2013 draft report is being prepared by COMB biology staff. The reports have not been distributed to CCRB or ID No.1 responsible for these activities under the 2001 MOU.

On April 5, 2016, ID1 received a link to the Draft Annual Monitoring Plan from Entrix rather than from COMB. ID1 staff requested that COMB send all correspondence related to fisheries documentation directly to ID1 management. COMB staff requested comments by April 20, 2014.

ID No.1 and the SYRWCD in conjunction with CCRB submitted comments on the HSU Trush report on July 21, 2016 to Reclamation and the NMFS for incorporation into the administrative record.

According to the NMFS comment letter dated December 8, 2016 to the State Water Resources Control Board regarding its release of the 2016 Draft Water Right Order, "NMFS is in the process of reviewing and discussing the draft 2016 biological opinion with BOR". It is likely that a draft BO, which is expected to be a "Jeopardy" opinion, will contain greater flows, have passage requirements as indicated by NMFS in the past, and recovery plan elements and terms imbedded including significantly higher flows for fish releases, fish passage around Bradbury Dam and return, and other protections for recovery of the listed steelhead. NMFS indicated in its comment letter to the SWRCB to incorporate the 2016 BO, thus the issuance is expected in the very near term.

ID No.1 management and Special Legal Counsel continue to monitor and are prepared to comment once the Public Draft is issued. ID No.1 was denied "applicant status" by USBR as a contracting party to Cachuma Project that had federal recognition. Therefore, comments on the Public Draft BO will be submitted to NMFS. The County was also recently denied "applicant status".

No further information has been available on the timing of a Public Draft BO issuance.

Pursuant to a letter from NMFS to USBR on June 15, 2018, the Section 7 Re-consultation was terminated for the November 28, 2016 draft Biological Opinion and existing proposed action. The new proposed action will be the basis of a new formal consultation under the ESA. On August 1, 2018, USBR submitted its revised draft proposed action to NMFS for review. A meeting is scheduled between USBR, NMFS and the JDCA group.

A meeting between USBR, NMFS, CCRB, ID No.1 and the SYRWCD is scheduled for October 16, 2018 at the NOAA offices in Long Beach.

USBR has set the date for submittal of a new Biological Assessment to NMFS of March 1, 2019. CCRB, ID1 and SYRWCD with USBR staff will be preparing various document elements. The BA will be based on the USBR's revised Proposed Action.

A revised date has been provided for submittal of the new BA; mid-June 2019. USBR agreed to a further extension of time to prepare additional and supportive information for a new BA; the first week of August in the new milestone.

USBR extended the time for submittal of a draft BA to August 29, 2019. USBR expects to submit a Draft BA to NMFS by mid-September 2019.

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CA-6. Cachuma Project - Water Supply and Water Service Contract

The water delivery order for WY 2014-15 has been submitted to USBR with a 55% reduction in entitlement deliveries beginning October 1, 2014. With the DWR Table "A" allocation at 20%, plus SWP water purchased through the SWPP by south coast member along with prior year carryover, the amounts should suffice to meet all exchange requirements in WY 2015. However, Goleta Water District has taken delivery of its SWP allocation and therefore the South Coast parties cannot effectuate the terms of the Exchange Agreement. This is being reviewed by the District's Special Legal Counsel BB&K for a recommendation of appropriate action.

A meeting is being called by CCWA to reconcile how to allocate the Santa Ynez Exchange water among the South Coast remaining agencies pursuant to the Exchange Agreement. The allocation methodology in the Exchange Agreement does not address a south coast party opting out with actual procedures. A call with all the parties to the Exchange Agreement is expected in June to outline the issues and then develop an allocation methodology, if possible within the terms and conditions of the Exchange Agreement.

The Exchange Agreement terms have not yet been reconciled between the parties and a meeting is scheduled on July 15th to discuss the South Coast Exchange water deficiencies.

The Exchange Agreement is being effectuated by the City of Santa Barbara, Montecito Water District and to certain level, Carpinteria Valley Water District with each of their SWP allocations, carryover and purchased water. ID No.1 remains whole at this time even with Goleta Water District not in the exchange due to its decision to move its entire SWP allocation to Cachuma without exchanging with IDNo.1 in accordance with the Agreement.

As of September 4, 2015, ID No.1 transferred its 2013-2014 Cachuma Project Carryover water to Montecito Water District that was to be exchanged in 2014-2015 and 2015-2016 with the participating parties. ID No.1's 750 AF of Carryover water was subject to evaporation losses of up to 65 AF per month and 25 AF per month for fish releases to Hilton Creek. In return, the District received \$1,015 per acre foot of water transferred. There is approximately 50 AF of Carryover water remaining for direct delivery to the SB County Park that is served by ID No.1.

USBR announced that will be zero (0) allocation of Project water to the Cachuma Member Units as of October 1, 2015 for the next water year.

USBR is considering the status and definition of use for the 12,000 AF water in the minimum pool. USBR staff also provided a minimum level of 604.50' which is the lowest point in the lake above the inlet sill to the penstock at elevation 600.00'.

USBR continues to allocate zero water for 2016. In addition, water accruing from the Tecolote Tunnel Yield is not being allocated but used to offset a portion of the lake evaporation rather than deducted from Project Carry Over water per the Master Contract. However, Reclamation defined in its CEC released in April 2016 that the minimum pool water shall not be available to divert through the south coast's Barge relocation nor will the WR 89-18 water and fish account water.

COMB relocated the barge that delivers water to the South Coast agencies prior to the downstream water rights releases began on July 12. The new location is adjacent to the County Park.

The inequities of the 2015/2016 "unallocated water" and "unaccounted for" water delivered to the South Coast CMU's remains an issue and have been contested by ID No.1. A response from USBR is pending. Following a meeting with USBR on September 6, 2016 when presented the inequities due to tunnel infiltration credits and unaccounted for water delivered to the south coast, those inequities continue to

increase with this new water year. No formal resolution between ID1, USBR and the County Water Agency has been accomplished.

The Santa Barbara County Water Agency submitted to USBR the annual request for allocation from the Cachuma Project. This was historically done by COMB, however, SBCWA has taken back this role in accordance with the Master Contract. There was zero allocation issued by USBR starting on October 1, 2016.

USBR will institute an evaporation scenario, proposed by SB County, that both Project carryover water and SWP will evaporate proportional to the total lake volume. The theory being the Minimum Pool will evaporate at a given level anyway, and with some incremental storage in the lake will incrementally increase evaporate so should be accounted for as such. The member Units have stated that except for Goleta (~ 500 AF) and to a minimal extent City of SB, and furthermore to a much lesser extent ID1 (for the Park), will exhaust all the CCO by December 1, 2016. This is effective on January 1, 2017.

On March 17, 2017 the CMU managers and technical staff met with the County Water Agency staff to compare the independent water supply analysis prepared by each CMU and the County based on the "Available Project Water" and for supporting a mid-year allocation from USBR. Carpinteria Valley WD conducted extensive modeling based on a two year allocation outlook and differing percentages of a mid-year allocation and remaining balances, while considering most factors affecting the water supply in the lake. ID No.1, in conjunction with Stetson Engineers verified Carpinteria's model and also prepared ID No.1's modeling effort confirming all other sources of stored and produced water being considered. After deliberation with the County and between the CMU's, it was determined that a mid-year allocation be requested of USBR in the amount of 40% or 10,285.6 AF of the annual 25,714 AF operational yield. Each CMU would receive its prorated share of the mid-year allocation in accordance with the Master Contract.

USBR approved a 40% mid-year allocation adjustment on April 7, 2017 based on available Project water in storage with concurrence by the Cachuma Member Units. ID1 took its first delivery of its share 1,060 AF of Cachuma Project water. A formal letter will authorize deliveries for the remainder of this year and next year's allocation of 40%.

SB County Water Agency has requested the Cachuma Member Units provide an allocation for WY 2017/18 in order to submit to USBR in accordance with the Master Contract. The Water Agency reacquired its responsibility from COMB and is now acting on behalf of the Member Units. The allocation requests are tied to the capital component of the Project, which was paid off in 2015; however USBR is still requesting the allocations for accounting purposes. As previously agreed, USBR anticipates a 40% delivery next water year but there will be a statement in the request for a mid-year allocation modification should the rainfall season produce inflow. ID No.1's allocation request is due June 23, 2017.

ID No.1 submitted its 2017-2018 40% allocation request and reserving its right for an increased allocation with an increase in water in storage.

A formal resolution to the inequities is expected with the accounting for new water in Cachuma and as part of the allocation process. ID1 has a second letter to Reclamation prepared in part by Stetson Engineers to be sent late in the week of April 10, 2017.

On May 30, 2017, a formal letter to USBR from the District requested a reconciliation of water supply inequities that occurred from 2011 to 2017 associated with carryover evaporation charges, tunnel accretions, and un-accounted for water. ID1 requested that water be credited to its account. Neither USBR nor the County has responded.

A meeting was held with USBR and Santa Barbara County Water Agency on October 12, 2017 with no resolution.

ID#1 met with USBR Mid-Pacific Region and Area Office Directors and management on January 18, 2018 to discuss contract options. A follow up meeting with the Area Office staff is schedule for the end of February.

Management was recently informed by the SCCAO Manager that USBR staff met with SB County representatives on Monday, March 12, 2018 to discuss the 2020 contract. This meeting did not include any Cachuma Member Unit representatives. The latest conversation with the SB County Water Agency Manager Fray Crease, on Thursday March 8, she indicated that the County would not accept or consider any other contracting arrangement; only the current USBR and SB County Master Contract. ID No.1 has had several meetings with USBR in order to seek contract options. No final determination has been made by USBR.

Management is meeting with USBR Regional Director on May 9, 2018 to continue discussions of contracting options.

ID No.1 management met with the USBR Regional Director, two Deputy Directors and staff to continue to promote contracting option for the upcoming Water Service Contract in 2020. USBR will explore a contract assignment as well as a multi-party contract.

No response from USBR regarding contract options.

On September 10, 2018, the Cachuma Member Units were informed that a Basis of Negotiations with the inclusion of Section 4011 of the WIIN Act was forwarded by USBR SCCAO to the USBR Denver Service Center in June 2018. SB County Water Agency confirmed the inclusion but no notification was provided to the Cachuma Member Units. ID No.1 is still awaiting contracting options.

Santa Barbara County continues to cancel meetings with the Cachuma Member Units regarding the new contract terms and conditions updates and interactions with USBR.

No additional information has been made available from USBR or the Water Agency to the Member Units regarding the 2020 Water Service Contract. A Grand Jury inquiry is underway requesting information from ID1 regarding contract renewal.

The Grand Jury finalized its report on the Cachuma Project Contract which was circulated at the end of June to ID1 and Cachuma Member Units.

Response to the Report is due by September 25, 2019. **ID No.1 submitted its response.**

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The Exchange Agreement between ID1 and the south coast Cachuma Member Units is dependent on two factors: 1) Cachuma Project water availability and allocation to ID1; and, 2) Sufficient and equal amount of South Coast SWP water to exchange with ID1. Because there is zero allocation of Cachuma Project water, the Exchange Agreement remains inactive. Once USBR determines a mid-year allocation, all ID No.1's Cachuma allocation will be exchanged for an equal amount of the south coast participants SWP water.

With the mid-year allocation in water year 2016-17, ID1 will have 1,060 AF of its Cachuma Project available supply to exchange from April 7, 2017 to September 30, 2017. The Exchange water will be balance with the first priority Article 21 water and the MetWD exchange.

Currently, the Cachuma Exchange water is occurring with this year's 40% allocation and beginning on October 1st, the new water year, there will be 1,042 AF of water exchanged.

USBR issued its allocation on November 4, 2017 of a 40% delivery to the Member Units retroactive to October 1, 2017. A mid-year adjustment would be considered based on precipitation and runoff in the lake.

With a 20% delivery allocation from the SWP and the reduced allocation from USBR, the South Coast will have enough SWP to effectuate the Exchange Agreement this year. Should the SWP allocation be reduced as was anticipated to 10%, this would cause an exchange shortage.

With 35% SWP allocation the south coast will have enough SWP water to exchange 532 AF of ID No.1's Cachuma project allocation this water year.

The SWP/Cachuma exchange is expected to begin in April 2019 with the 70% SWP allocation and 100% delivery of Cachuma Project Water.

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Contract Number I75r-1802R (Master Contract) expires in 2020 for water service to the Cachuma Member Units (CMU's). The County Water initiated discussions with USBR on November 18, 2016 regarding the process and protocols for negotiations of a new water service contract. The Water Agency has been coordinating with the CMU's over the past month and prepared a "charter" or guideline paper for the formation of Steering Committee that will work on activities related to the negotiation process along with the terms and conditions of such water service contract. The Water Agency requested input from the CMU's. Upcoming meetings are scheduled over the next few months.

The Water Agency will bring its charter to begin the contracting process and provide a report to the Board of Directors of the SBWFC&WCD on May 2, 2017. At this time, none of the CMU's concur with the contracting arrangement.

At the May 2 County Board of Directors meeting to approve and authorize the Chair to sign a letter to the United States Bureau of Reclamation to request renewal of the Water Service Contract for the Cachuma Project and initiate negotiations with the United States Bureau of Reclamation, there were comments provided by ID1, the City of Santa Barbara and Carpinteria Valley WD opposing this action until such time to allow to explore contract options and engage all the Cachuma Member Units in this process. As stated by the County, this is a process between County and the USBR but the County will allow one representative of the CMU's to attend meetings between USBR and the County only. Director Hartmann indicated that the County's purpose in renegotiating this contract is to protect the downstream interests, the environment, and public trust resources. Other discussion related to the County's role in water supply. The north County Directors did not care about this action. The letter and action was approved 5-0.

The County is now scheduling "private" meetings with USBR beginning in May and June and to initiate negotiations. The CMU's are not included until the public meetings are scheduled.

Meetings are now being organized by the Member Unit managers regarding the County's action and its process.

No technical sessions or negotiation meetings with Reclamation or the County are schedule as of this date.

--

USBR will be conducting its 5-year inspection of water records and compliance with the Master and Member Unit Contracts. USBR representatives from the Regional office, South Central California Area Office and Denver Services will be at ID No.1 on September 19, 2012. USBR has transferred water conservation division to the Mid-Pacific region. District staff will be meeting with MP region staff to discuss conservation plans and exemptions applicable to the District. USBR provided a draft CCR checklist on November 8, 2012 indicating that ID No.1 complies with all elements of the Master Contract.

USBR solicitor has determined that in accordance with Master Contract and specifically under CVPIA criteria (although ID No.1 is not in the CVP), ID No.1 is required to prepare and submit to USBR a water conservation plan for its Project Water; 863 AF annually of M&I water and separately for 1,788 AF of Irrigation water. The District has other sources of local water supply (Uplands groundwater and licenses in the SY River) that are not under the jurisdiction of USBR and not within the Master Contract or CVPIA which are not reportable in a USBR water conservation plan.

The District is completing its updated and required draft water conservation plan and best management practices (BMP's) for submittal to USBR. This will require revisions to incorporate the City of Solvang because the District's boundaries for water service include the City's residents.

The conservation plan update was submitted to Reclamation in March 2015.

USBR through the CUWCC is requesting further water conservation and BMP information within ID No.1's service area.

USBR will be conducting its 5-year inspection of water records and compliance with the Master and Member Unit Contracts. USBR representatives from the Regional office, South Central California Area Office and Denver Services will be at ID No.1 on August 23 and 24, 2016. ID No.1 submitted comments and provided further information to USBR by September 6, 2016.

ID No.1 will be preparing and submitting the USBR required crop report update by the May 1, 2018 deadline.

--

CA-7. Actions taken during emergency situation in New York/Washington DC on September 11, 2001

DHS has distributed the Terrorist Threat Reporting Guide for Critical Infrastructure. This is a joint guidance document distributed by Federal Homeland Security and FBI for Owners and Operators of critical infrastructure. **No advisories are in effect.**

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT, ID#1 -- 2019 DELIVERY

30-Sep-19

Delivery Schedule 2019	Allocation AF	Actual										New Cachuma WY			Delivery Total
		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Planned	
Table "A" Entitlement/1	400	0	0	0	25	25	0	0	0	0	190	25	135	400	
Drought Buffer	15	0	0	0	0	0	0	0	0	0	15	0	0	15	
Exchange less Cach Park /2	2626	0	0	0	163	177	372	504	521	476	242	60	48	2563	
Carryover/Article 21/Solvang	145	0	0	0	0	10	20	30	30	15	0	40	0	145	
TOTAL	3186	0	0	0	188	212	392	534	551	491	447	125	183	3123	
Cachuma Park/3	25	1	2	2	2	2	3	3	3	2	2	2	2	25	
River Wells - 6.0 CFS		65	2	64	0	0	0	0	0	0	0	0	0	131	
River Wells - 4.0 CFS		42	3	0	5	0	0	0	0	0	0	0	0	49	
Upland Wells		0	60	44	68	70	44	0	0	0	0	219	0	505	
Total Production		108	66	109	262	284	438	537	554	493	449	346	185	3833	

10 Yr. Average Production 142 146 277 418 565 639 746 720 602 449 346 185 5235

4.0 cfs River Maximum Production in AF 49.2 44 246 238 246 238 238 246 238 246 142.8 49.2
 6.0 cfs River Maximum Production in AF 92.2 83.3 368.9 357 368.9 357 357 368.9 357 369.3 223.1 92.2

Note/1 Reflects the SWP deliveries for 2019 WY = 80% of entitlement; 145 AF Final 2017 transfer water from Solvang returned; SWP Total 560AF

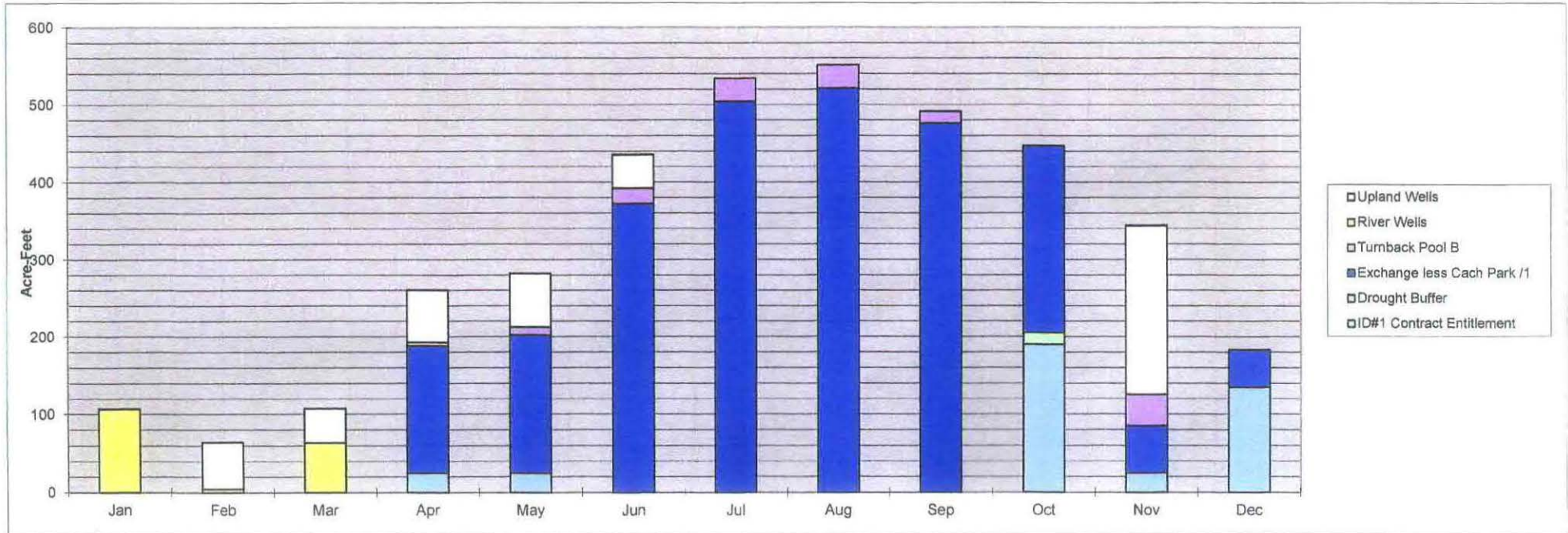
Cachuma Project 100% or 2,651 AF as of April 1, 2019 through September 30, 2019. A mid-year allocation.

Note /2 Blue text: Cachuma Exchange water available from Oct 1, 2018-19 w/ 100% Allocation.

Cachuma Project Total Allocation for WY2018-19 is 2,651 AF plus 40 AF carryover 2018.

South Coast MU must provide full Exchange amount;

Note /3 Cachuma Project water estimated delivery to SB County Park of Cachuma Water year 2018-19 is 26 af.



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

SEPTEMBER 2019

LAKE CACHUMA DAILY OPERATIONS

RUN DATE: October 1, 2019

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				
	737.07	148,083												
1	737.03	148,006	-77	59.2	0.0	.0	70.8	5.4	8.1	.0	51.9	.320	.00	
2	736.98	147,878	-128	-6.8	0.0	.0	66.5	5.4	7.2	.0	42.1	.260	.00	
3	736.94	147,775	-103	28.4	0.0	.0	68.7	5.3	7.2	.0	50.2	.310	.00	
4	736.89	147,647	-128	10.9	0.0	.0	80.1	5.3	8.2	.0	45.3	.280	.00	
5	736.82	147,467	-180	-1.6	0.0	.0	106.1	5.3	7.2	.0	59.8	.370	.00	
6	736.76	147,313	-154	16.3	0.0	.0	113.2	5.3	8.2	.0	43.6	.270	.00	
7	736.70	147,159	-154	8.2	0.0	.0	101.3	5.3	7.2	.0	48.4	.300	.00	
8	736.63	146,979	-180	-20.5	0.0	.0	102.5	5.3	8.2	.0	43.5	.270	.00	
9	736.57	146,827	-152	-40.5	0.0	.0	63.5	5.3	7.3	.0	35.4	.220	.00	
10	736.53	146,726	-101	11.3	0.0	.0	67.6	5.3	7.2	.0	32.2	.200	.00	
11	736.48	146,600	-126	-9.5	0.0	.0	66.0	5.3	8.2	.0	37.0	.230	.00	
12	736.44	146,498	-102	-1.1	0.0	.0	51.3	5.3	7.3	.0	37.0	.230	.00	
13	736.40	146,397	-101	22.1	0.0	.0	67.2	5.3	7.2	.0	43.4	.270	.00	
14	736.35	146,271	-126	13.0	0.0	.0	69.3	5.3	8.2	.0	56.2	.350	.00	
15	736.30	146,144	-127	9.7	0.0	.0	71.3	5.3	7.2	.0	52.9	.330	.00	
16	736.25	146,018	-126	-14.7	0.0	.0	65.1	5.2	7.3	.0	33.7	.210	.00	
17	736.21	145,917	-101	14.2	0.0	.0	69.6	5.2	8.3	.0	32.1	.200	.00	
18	736.16	145,790	-127	-8.0	0.0	.0	68.2	5.2	7.2	.0	38.4	.240	.00	
19	736.11	145,664	-126	-15.3	0.0	.0	67.9	5.2	7.2	.0	30.4	.190	.00	
20	736.06	145,537	-127	-15.6	0.0	.0	69.0	5.2	8.4	.0	28.8	.180	.00	
21	736.02	145,436	-101	11.8	0.0	.0	57.2	5.2	7.2	.0	43.2	.270	.00	
22	735.98	145,335	-101	8.8	0.0	.0	54.9	5.2	8.2	.0	41.5	.260	.00	
23	735.94	145,234	-101	-2.3	0.0	.0	52.6	5.2	7.4	.0	33.5	.210	.00	
24	735.90	145,132	-102	-4.5	0.0	.0	53.2	5.2	7.2	.0	31.9	.200	.00	
25	735.88	145,082	-50	59.8	0.0	.0	52.7	5.2	7.2	.0	44.7	.280	.00	
26	735.85	145,006	-76	29.5	0.0	.0	53.6	5.2	8.4	.0	38.3	.240	.00	
27	735.78	144,829	-177	-66.1	0.0	.0	68.2	5.2	7.2	.0	30.3	.190	.00	
28	735.74	144,728	-101	-9.5	0.0	2.1	70.0	5.2	7.3	.0	11.1	.070	.01	
29	735.68	144,576	-152	-46.9	0.0	.0	67.7	5.2	8.3	.0	23.9	.150	.00	
30	735.64	144,475	-101	-7.4	0.0	.0	52.6	5.2	7.2	.0	28.6	.180	.00	
TOTAL (AF)			-3,608	32.9	0.0	2.1	2,087.9	157.7	228.1	.0	1,169.3	7.280	.01	
(AVG)		146,148												

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: 10/1/2019

Water Year: 2020

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	0.00	0%	0%	
Cachuma Dam (USBR)	332	0.00	0.00	0.00	0.02	8%	0%	
Carpinteria (Fire Stn)	208	0.00	0.00	0.00	0.00	0%	0%	
Cuyama (Fire Stn)	436	0.00	0.00	0.00	0.00	0%	0%	
Figueroa Mtn (USFS Stn)	421	0.00	0.00	0.00	0.04	10%	0%	12.4
Gibraltar Dam (City Facility)	230	0.00	0.00	0.00	0.00	0%	0%	12.4
Goleta (Fire Stn-Los Carneros)	440	0.00	0.00	0.00	0.00	0%	0%	
Lompoc (City Hall)	439	0.00	0.00	0.00	0.00	0%	0%	12.4
Los Alamos (Fire Stn)	204	0.00	0.00	0.00	0.00	0%	0%	
San Marcos Pass (USFS Stn)	212	0.00	0.00	0.00	0.03	6%	0%	
Santa Barbara (County Bldg)	234	0.00	0.00	0.00	0.00	0%	0%	
Santa Maria (City Pub. Works)	380	0.00	0.00	0.00	0.00	0%	0%	
Santa Ynez (Fire Stn /Airport)	218	0.00	0.00	0.00	0.00	0%	0%	
Sisquoc (Fire Stn)	256	0.00	0.00	0.00	0.01	4%	0%	

County-wide percentage of "Normal-to-Date" rainfall : **2%**

County-wide percentage of "Normal Water-Year" rainfall : **0%**

County-wide percentage of "Normal Water-Year" calculated assuming no more rain through Aug. 31, 2020 (End of WY2020).

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 Elev. (ft)	Current Elev. (ft)	Max. Storage (ac-ft)	Current Storage (ac-ft)	Current Capacity (%)	Storage Change Mo.(ac-ft)	Storage Change Year*(ac-ft)
Gibraltar Reservoir	1,400.00	1,389.12	4,314	2,192	50.8%	0	-347
Cachuma Reservoir	753.**	735.59	193,305	144,349	74.7%	0	-3,657
Jameson Reservoir	2,224.00	2,218.51	5,144	4,470	86.9%	0	-177
Twitchell Reservoir	651.50	560.54	194,971	14,754	7.6%	0	-4,052

CIMIS Daily Report

Rendered in ENGLISH Units.
 Sunday, September 1, 2019 - Monday, September 30, 2019
 Printed on Tuesday, October 1, 2019

Santa Ynez - Central Coast Valleys - Station 64

Date	ETo (in)	Precip (in)	Sol Rad (Ly/day)	Avg Vap Pres (mBars)	Max Air Temp (°F)	Min Air Temp (°F)	Avg Air Temp (°F)	Max Rel Hum (%)	Min Rel Hum (%)	Avg Rel Hum (%)	Dew Point (°F)	Avg Wind Speed (mph)	Wind Run (miles)	Avg Soil Temp (°F)
9/1/2019	0.24	0.00	601	16.8	100.1	55.0	75.6 Y	92	30	56 Y	58.6 Y	3.3	78.6	83.0 R
9/2/2019	0.22	0.00	545	17.5	99.4	61.7 Y	75.3 Y	84	31	58 Y	59.6 Y	3.8	91.9	83.7 R
9/3/2019	0.20	0.00	496	16.8	94.8	57.7	72.9	96	34	61	58.5	4.0	96.2	83.9 R
9/4/2019	0.22	0.00	579	16.1	96.5	58.0	72.1	91	31	60	57.4	3.9	93.0	83.7 R
9/5/2019	0.22	0.00	567	15.9	93.1	56.7	70.5	97	33	62	57.0	4.3	103.6	83.7 R
9/6/2019	0.22	0.00	578	14.6	97.0	57.4	71.8	88	20	55	54.8	3.9	94.2	83.7 R
9/7/2019	0.19	0.00	564	14.9	82.4	55.4	64.9	98	42	71	55.3	4.5	107.8	83.4 R
9/8/2019	0.21	0.00	592	14.0	83.6	50.7	65.1	96	38	66	53.5	5.0	119.6	82.4 Y
9/9/2019	0.19	0.00	554	14.4	82.5	51.5	62.9	99	39	73	54.2	4.1	98.3	81.6 Y
9/10/2019	0.18	0.00	541	14.8	79.1	56.0	64.3	95	40	72	55.1	4.1	99.5	81.2 Y
9/11/2019	0.20	0.00	574	14.0	84.0	54.0	67.4	87	36	61	53.6	3.3	80.4	81.2 Y
9/12/2019	0.22	0.00	575	12.1	97.1	47.6	70.9	89	15	47	49.6	3.3	79.3	81.3 Y
9/13/2019	0.23 R	0.00	576	11.0	103.4 Y	51.3	75.2 R	85	9	-- R	-- I	3.0	71.0	81.6 Y
9/14/2019	0.23	0.00	567	11.7	102.0 Y	50.8	74.2 Y	81	14	40 Y	48.6 Y	3.2	77.0	82.1 Y
9/15/2019	0.17	0.00	470	14.9	85.4	53.7	66.0	98	42	68	55.3	3.8	90.1	82.2 Y
9/16/2019	0.18	0.00	536	15.1	84.2	56.1	65.8	94	37	70	55.7	4.0	95.6	81.6 Y
9/17/2019	0.19	0.00	539	13.2	86.0	49.9	65.4	92	29	62	51.9	3.7	89.6	81.4 Y
9/18/2019	0.19	0.00	553	12.4	84.7	42.6	62.6	90	27	64	50.2	3.8	91.9	80.6 Y
9/19/2019	0.15	0.00	461	14.7	78.9	53.4	64.5	92	41	71	54.8	4.1	97.6	80.3 Y
9/20/2019	0.19	0.00	546	11.8	85.3	47.4	63.9	99	27	58	48.8	3.6	85.5	79.8 Y
9/21/2019	0.20	0.00	540	10.2	91.7	42.7	65.5	87	19	47	44.9	3.1	73.6	79.5 Y
9/22/2019	0.19	0.00	497	10.8	96.0	46.7	67.2	85	14	47	46.5	3.0	71.5	79.4 Y
9/23/2019	0.17	0.00	511	14.0	83.9	50.0	63.4	100	40	70	53.6	3.8	91.1	79.4 Y
9/24/2019	0.21	0.01	526	11.4	102.4 Y	47.3	71.0	94	10	44	47.9	3.5	84.8	79.3 Y
9/25/2019	0.20	0.00	523	14.2	97.4	50.7	72.3 Y	87	22	52 Y	53.9 Y	3.0	73.2	79.7 Y
9/26/2019	0.18 R	0.00	508	16.6	78.2	55.7	67.6	91	53	72	58.2	5.0 Y	120.5 Y	80.1 Y
9/27/2019	0.04	0.00	154	16.9	71.5	57.1	64.8	93	67	81	58.7	2.8	67.1	79.2 Y
9/28/2019	0.09	0.05	311	14.0	72.4	48.2	60.0	99	46	79	53.5	3.8	92.0	77.8 Y
9/29/2019	0.17	0.00	522 R	8.9	74.2	39.3	55.0	97	27	60	41.4	3.9	94.8	76.0
9/30/2019	0.17	0.00	510	8.4	74.4	36.9	54.1	94	30	59	40.1	4.1	99.3	75.1
Tots/Avg	5.66	0.06	521	13.7	88.1	51.4	67.1	92	31	62	52.8	3.8	90.3	80.9

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



United States Department of the Interior

BUREAU OF RECLAMATION
Mid-Pacific Region
South-Central California Area Office
1243 N Street
Fresno, CA 93721-1813

IN REPLY REFER TO:
SCC-435
2.2.4.21

AUG 14 2019

Board of Directors
Attention: Mr. Kevin Walsh
Santa Ynez River Water Conservation District
P.O. Box 719
Santa Ynez, CA 93460-0719

Subject: Cachuma Downstream Water Rights Operations – Santa Ynez River Downstream Water Users Accounting – Cachuma Project, California – Mid-Pacific Region

Dear Board Members:

Enclosed is a copy of the Santa Ynez River Downstream Water Users Accounting Report for May 2019. As of May 31, 2019, the balance of the Above Narrows Account is positive 13,278 acre-feet (AF) and Below Narrows Account is positive 3,029 AF.

If you have any questions regarding the report, please feel free to contact me at (559) 262-0304 or Mr. Issac Lee at (559) 262-0359, or for the hearing impaired at TTY (800) 877-8339.

Sincerely,

Duane Stroup
Deputy Area Manager

Enclosures - 2

cc: Mrs. Janet Gingras
Cachuma Operation and Maintenance Board
3301 Laurel Canyon Road
Santa Barbara, CA 93105-2017
(w/encl)

City Administrator
City of Lompoc
100 Civic Center Plaza
Lompoc, CA 93438-8001
(w/encl)

Mr. Art Hibbits
1251 East Highway 246
Lompoc, CA 93436
(w/encl)

Mr. Mark Altshuler
725 Mercury Ave
Lompoc, CA 93436
(w/encl)

Mr. Steve Jordan
P.O. Box 427
Lompoc, CA 93438-0427
(w/encl)

S.Y.R.W.C.D. ID.#1

AUG 19 2019

RECEIVED

C A C H U M A
 Santa Ynez River - Downstream Users Accounting
 May 2019

SUMMARY

RESERVOIR		Computed Inflow	2815.3
Releases			422.3
Fish	422.3		
Water rights	0.0		
Leakage	0.0		
Spills			0.0
Valves	0.0		
Spillway	0.0		
Leakage	0.0		
	Total Downstream Releases . .		422.3
Diversions			783.2
South Coast	781.4		
Park (SYRWCD ID #1)	1.9		
SYRWCD ID #1	0.0		
	Total Reservoir Outflows . .		1205.5
CCWA Inflow	0.0		
Releases Affecting Accounts	0.0		
Project Savings	0.0		
ABOVE NARROWS ACCOUNT (ANA)			
Previous Months ANA			11657.0
ANA Credit	1621.4		
Releases from ANA	0.0		
BNA Releases Not Reaching Narrows	0.0		
ANA Dewatered Storage: Current	18046.0		
Previous	17612.0		
Change	434.0		
Spills Reducing ANA	0.0		
Current ANA			13278.4
BELOW NARROWS ACCOUNT (BNA)			
Previous Months BNA			2069.0
Measured Flow at Narrows	901.5		
Salsipuedes Creek Contribution	213.7		
Releases from BNA	0.0		
BNA Releases Reaching Narrows	0.0		
Constructive Flow at Narrows	3716.8		
Elevation of Indicator well (feet)	0.0		
Percolation from Measured Flow	858.7		
Percolation from Constructive Flow	1819.0		
BNA Credit	960.4		
Spills Reaching Narrows	0.0		
BNA Dewatered Storage: Current	16075.0		
Previous	16597.0		
Change	-522.0		
Spills Reducing BNA	0.0		
Current BNA			3029.4

Notes: All values are in acre-feet unless otherwise indicated.
 Date of Report: 06/19/2019
 USING SAN LUCAS CREEK AS FIRST CHECKPOINT
 UPSTREAM OPERATIONS ADJUSTMENT ALL NEG OR ZERO



United States Department of the Interior

BUREAU OF RECLAMATION
Mid-Pacific Region
South-Central California Area Office
1243 N Street
Fresno, CA 93721-1813

IN REPLY REFER TO:

SCC-435
2.2.4.21

AUG 14 2019

Board of Directors
Attention: Mr. Kevin Walsh
Santa Ynez River Water Conservation District
P.O. Box 719
Santa Ynez, CA 93460-0719

Subject: Cachuma Downstream Water Rights Operations – Santa Ynez River Downstream Water Users Accounting – Cachuma Project, California – Mid-Pacific Region

Dear Board Members:

Enclosed is a copy of the Santa Ynez River Downstream Water Users Accounting Report for April 2019. As of April 30, 2019, the balance of the Above Narrows Account is positive 11,657 acre-feet (AF) and Below Narrows Account is positive 2,069 AF.

If you have any questions regarding the report, please feel free to contact me at (559) 262-0304 or Mr. Issac Lee at (559) 262-0359, or for the hearing impaired at TTY (800) 877-8339.

Sincerely,

Duane Stroup
Deputy Area Manager

Enclosures - 2

cc: Mrs. Janet Gingras
Cachuma Operation and Maintenance Board
3301 Laurel Canyon Road
Santa Barbara, CA 93105-2017
(w/encl)

City Administrator
City of Lompoc
100 Civic Center Plaza
Lompoc, CA 93438-8001
(w/encl)

Mr. Art Hibbits
1251 East Highway 246
Lompoc, CA 93436
(w/encl)

Mr. Mark Altshuler
725 Mercury Ave
Lompoc, CA 93436
(w/encl)

Mr. Steve Jordan
P.O. Box 427
Lompoc, CA 93438-0427
(w/encl)

S.Y.R.W.C.D. ID.#1

AUG 14 2019

RECEIVED

C A C H U M A
 Santa Ynez River - Downstream Users Accounting
 April 2019

SUMMARY

RESERVOIR		Computed Inflow	6153.3
	Releases		407.9
	Fish	407.9	
	Water rights	0.0	
	Leakage	0.0	
	Spills		0.0
	Valves	0.0	
	Spillway	0.0	
	Leakage	0.0	
		Total Downstream Releases . .	407.9
	Diversions		1130.1
	South Coast	1128.3	
	Park (SYRWCD ID #1)	1.8	
	SYRWCD ID #1	0.0	
		Total Reservoir Outflows . .	1538.0
	CCWA Inflow	0.0	
	Releases Affecting Accounts	0.0	
	Project Savings	0.0	
ABOVE NARROWS ACCOUNT (ANA)			
	Previous Months ANA		11657.0
	ANA Credit	0.0	
	Releases from ANA	0.0	
	BNA Releases Not Reaching Narrows	0.0	
	ANA Dewatered Storage: Current	17612.0	
	Previous	15269.0	
	Change	2343.0	
	Spills Reducing ANA	0.0	
	Current ANA		11657.0
BELOW NARROWS ACCOUNT (BNA)			
	Previous Months BNA		1227.0
	Measured Flow at Narrows	2168.8	
	Salsipuedes Creek Contribution	737.5	
	Releases from BNA	0.0	
	BNA Releases Reaching Narrows	0.0	
	Constructive Flow at Narrows	8447.6	
	Elevation of Indicator well (feet)	0.0	
	Percolation from Measured Flow	1460.6	
	Percolation from Constructive Flow	2303.0	
	BNA Credit	842.3	
	Spills Reaching Narrows	0.0	
	BNA Dewatered Storage: Current	16597.0	
	Previous	17966.0	
	Change	-1369.0	
	Spills Reducing BNA	0.0	
	Current BNA		2069.3

Notes: All values are in acre-feet unless otherwise indicated.
 Date of Report: 05/15/2019
 USING SAN LUCAS CREEK AS FIRST CHECKPOINT
 UPSTREAM OPERATIONS ADJUSTMENT ALL NEG OR ZERO



CENTRAL COAST WATER AUTHORITY

MEMORANDUM

September 11, 2019

TO: CCWA Operating Committee
FROM: John Brady
Deputy Director
SUBJECT: Annual Delivery Schedule (2020 through 2024)

SUMMARY AND DISCUSSION

It's time again for CCWA and the other State Water Contractors to complete and forward a current five-year delivery schedule (calendar years 2020 through 2024) to the Department of Water Resources (DWR). **CCWA must submit its request to DWR by October 1, 2019. Therefore, we must have your input by no later than Thursday September 26, 2019.** We will be able to consolidate the data quickly for transmittal to DWR.

DWR has made the following request:

- **DWR Initial Delivery Request.** DWR is requesting delivery information based upon a 100%, 60%, 50%, 30% and 5% allocation scenarios for the year 2020. They also are requesting a delivery schedule for 2021 through 2024 for a 60% and 100% allocation scenario. The purpose of these requests are to allow DWR to make better estimates of variable costs once the 2020 allocation has been determined.

CCWA staff has prepared a schedule for each agency for consideration. The schedule was prepared as follows:

1. The CCWA Delivery Database was queried for monthly deliveries for the years 2014 to 2018 – a five year period. The information for your agency is attached for your review.
2. The low, high and average month was determined.
3. For the purpose of the DWR schedule, the monthly highs were utilized.
4. CCWA staff modified the DWR Initial Delivery Request Spreadsheet to allow entry of the monthly delivery estimate into one location in the tab entitled "Year 2020", which is highlighted in green. Once entered, the remaining portions of the schedule will be completed automatically. The spreadsheet is set up to assume:
 - a. The demand of the SWP source will be met by Table A allocation, carryover or exchange/transfer. Therefore, the schedule shows use of carryover, Table A allocation or an exchange (XCG).
 - b. It is assumed that no carryover water will be available at the start of 2020. This may or may not be the case for your individual agency.

Your agency's Database Query and completed DWR Initial Request Spreadsheet is attached for your review. A blank DWR Initial Request Spreadsheet is also included if you would like to submit a schedule different from the CCWA Staff estimate.

Please review the enclosed draft delivery schedule for your system and submit any comments, changes or questions to me as soon as possible before September 26, 2019. Following the deadline, CCWA staff will compile the requests and submit one schedule to DWR for each DWR Reach. If you have any questions or comments regarding these delivery requests, please call either Lisa Long at 688-2292 extension 223 (LML@ccwa.com) or me at 688-2292 extension 228 (JLB@ccwa.com).

By copy of this memo, I am also requesting that San Luis Obispo County Flood Control and Water Conservation District forward CCWA a copy of the delivery schedule it submits to DWR for the Lopez and Chorro Valley turnouts.

JLB

Attachments

cc: Ray Stokes, CCWA Executive Director
Lisa Long, CCWA Deputy Controller
Wes Thompson, SLOCFC&WCD (without attachments)
CCWA Board of Directors (without attachments)

REQUESTED WATER DELIVERY SCHEDULES FOR 2020

(BY REACH IN ACRE-FEET)

Santa Ynez

700

Sheet _____ of _____

% SWP DELIVERY

100%
700

60%
420

50%
350

30%
210

5%
35

WATER TYPE *	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
TBLA	0.0	0.0	81.0	244.0	176.0	195.0	140.0	236.0	178.0	169.0	0.0	0.0	1,419.0
XCH													0.0
ANTCO													0.0
TOTAL	0.0	0.0	81.0	244.0	176.0	195.0	140.0	236.0	178.0	169.0	0.0	0.0	
TBLA	0.0	0.0	24.0	72.2	52.1	57.7	41.4	69.9	52.7	50.0	0.0	0.0	420.0
XCH	0.0	0.0	57.0	171.8	123.9	137.3	98.6	166.1	125.3	119.0	0.0	0.0	999.0
ANTCO													0.0
TOTAL	0.0	0.0	81.0	244.0	176.0	195.0	140.0	236.0	178.0	169.0	0.0	0.0	
TBLA	0.0	0.0	20.0	60.2	43.4	48.1	34.5	58.2	43.9	41.7	0.0	0.0	350.0
XCH	0.0	0.0	61.0	183.8	132.6	146.9	105.5	177.8	134.1	127.3	0.0	0.0	1,069.0
ANTCO													0.0
TOTAL	0.0	0.0	81.0	244.0	176.0	195.0	140.0	236.0	178.0	169.0	0.0	0.0	
TBLA	0.0	0.0	12.0	36.1	26.0	28.9	20.7	34.9	26.3	25.0	0.0	0.0	210.0
XCH	0.0	0.0	69.0	207.9	150.0	166.1	119.3	201.1	151.7	144.0	0.0	0.0	1,209.0
ANTCO													0.0
TOTAL	0.0	0.0	81.0	244.0	176.0	195.0	140.0	236.0	178.0	169.0	0.0	0.0	
TBLA	0.0	0.0	2.0	6.0	4.3	4.8	3.5	5.8	4.4	4.2	0.0	0.0	35.0
XCH	0.0	0.0	79.0	238.0	171.7	190.2	136.5	230.2	173.6	164.8	0.0	0.0	1,384.0
ANTCO													0.0
TOTAL	0.0	0.0	81.0	244.0	176.0	195.0	140.0	236.0	178.0	169.0	0.0	0.0	

* SEE LIST OF WATER TYPES

Agency _____

Reach _____

By _____ (Official)

Title _____

Date _____

REQUESTED WATER DELIVERY SCHEDULES FOR 2021 TO 2024
(BY REACH IN ACRE-FEET)

Sheet _____ of _____

700
YEAR - 100%

	WATER TYPE *	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
2021	TBLA	0.0	0.0	81.0	244.0	176.0	195.0	140.0	236.0	178.0	169.0	0.0	0.0	1419.0
	XCH	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	ANTCO													-719.0
	TOTAL	0.0	0.0	81.0	244.0	176.0	195.0	140.0	236.0	178.0	169.0	0.0	0.0	1419.0
2022	ART.56	-719.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	-719.0
	TBLA	719.0	0.0	81.0	244.0	176.0	195.0	140.0	236.0	178.0	169.0	0.0	0.0	2138.0
	XCH	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	ANTCO													-1438.0
	TOTAL	0.0	0.0	81.0	244.0	176.0	195.0	140.0	236.0	178.0	169.0	0.0	0.0	1419.0
2023	ART.56	-1,438.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	-1438.0
	TBLA	1,438.0	0.0	81.0	244.0	176.0	195.0	140.0	236.0	178.0	169.0	0.0	0.0	2857.0
	XCH	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	ANTCO													-2157.0
	TOTAL	0.0	0.0	81.0	244.0	176.0	195.0	140.0	236.0	178.0	169.0	0.0	0.0	1419.0
2024	ART.56	-2,157.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	-2157.0
	TBLA	2,157.0	0.0	81.0	244.0	176.0	195.0	140.0	236.0	178.0	169.0	0.0	0.0	3576.0
	XCH	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
	ANTCO													-2876.0
	TOTAL	0.0	0.0	81.0	244.0	176.0	195.0	140.0	236.0	178.0	169.0	0.0	0.0	1419.0

Note: ANTCO not include in total

* SEE LIST OF WATER TYPES

Agency _____ Reach _____

By _____ (Official) _____ Title _____ Date _____

REQUESTED WATER DELIVERY SCHEDULES FOR 2021 TO 2024
(BY REACH IN ACRE-FEET)

Sheet _____ of _____

420
YEAR - 60%

WATER TYPE *	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
2021 TBLA	0.0	0.0	24.0	72.2	52.1	57.7	41.4	69.9	52.7	50.0	0.0	0.0	420.0
XCH	0.0	0.0	57.0	171.8	123.9	137.3	98.6	166.1	125.3	119.0	0.0	0.0	999.0
ANTCO													0.0
TOTAL	0.0	0.0	81.0	244.0	176.0	195.0	140.0	236.0	178.0	169.0	0.0	0.0	1419.0
2022 ART.56	0	0	0	0	0	0	0	0	0	0	0	0	0.0
TBLA	0.0	0.0	24.0	72.2	52.1	57.7	41.4	69.9	52.7	50.0	0.0	0.0	420.0
XCH	0.0	0.0	57.0	171.8	123.9	137.3	98.6	166.1	125.3	119.0	0.0	0.0	999.0
ANTCO													0.0
TOTAL	0.0	0.0	81.0	244.0	176.0	195.0	140.0	236.0	178.0	169.0	0.0	0.0	1419.0
2023 ART.56	0	0	0	0	0	0	0	0	0	0	0	0	0.0
TBLA	0.0	0.0	24.0	72.2	52.1	57.7	41.4	69.9	52.7	50.0	0.0	0.0	420.0
XCH	0.0	0.0	57.0	171.8	123.9	137.3	98.6	166.1	125.3	119.0	0.0	0.0	999.0
ANTCO													0.0
TOTAL	0.0	0.0	81.0	244.0	176.0	195.0	140.0	236.0	178.0	169.0	0.0	0.0	1419.0
2024 ART.56	0	0	0	0	0	0	0	0	0	0	0	0	0.0
TBLA	0.0	0.0	24.0	72.2	52.1	57.7	41.4	69.9	52.7	50.0	0.0	0.0	420.0
XCH	0.0	0.0	57.0	171.8	123.9	137.3	98.6	166.1	125.3	119.0	0.0	0.0	999.0
ANTCO													0.0
TOTAL	0.0	0.0	81.0	244.0	176.0	195.0	140.0	236.0	178.0	169.0	0.0	0.0	1419.0

Note: ANTCO not included in total

* SEE LIST OF WATER TYPES

Agency _____ Reach _____

By _____ (Official) _____ Title _____ Date _____



A Meeting of the
PERSONNEL COMMITTEE
of the
CENTRAL COAST WATER AUTHORITY

will be held at 8:30 a.m. on September 26, 2019
at 255 Industrial Way, Buellton, California

AGENDA

- I. Call to Order and Roll Call
- II. Public Comment- (Any member of the public may address the Committee relating to any matter within the Committee's jurisdiction. Individual speakers may be limited to five minutes; all speakers may be limited to a total of fifteen minutes.)
- III. * CCWA Succession Planning – Accounting Staff
- IV. Reports from Committee Members for Information Only
- V. Date of Next Meeting: *Unscheduled*
- VI. Adjournment

Eric Friedman
Chairman

Ed Andrisek
Vice Chairman

Ray 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

S.Y.R.W.C.D.ID. #1

SEP 23 2019

RECEIVED

255 Industrial Way
Buellton, CA 93427-9565
(805) 688-2292
FAX: (805) 686-4700

* Indicates attachment of document to agenda packet.

46637



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

will be held at 9:00 a.m., on Thursday, September 26, 2019
at 255 Industrial Way, Buellton, California



- I. Call to Order and Roll Call**
- II. 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.)**

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

- III. Consent Calendar**
 - * A. Approve Minutes of the July 25, 2019 Regular Meeting
 - * B. Approve Bills
 - * C. Controller’s Report
 - * D. Operations Report
- IV. Executive Director’s Report**
 - * A. Delta Conveyance Project Contract Amendment Negotiations Update
 - * B. Suspended Table A Reacquisition and Request for Authorization to Hire CEQA Consultant
 - C. State Water Contract Assignment Update
 - * D. CCWA Request to DWR for Cost Allocation Specialist at the San Joaquin Field Division
 - E. Update on Lake Cachuma Bypass Piping Installation
 - * F. Procurement of Santa Ynez Pumping Plant Electrical Switchboard Replacement Project
 - * G. Polonio Pass Water Treatment Plant GAC Filter Media Replacement Project
 - * H. Carryover of Project Funds from FY 2018/19 to FY 2019/20
 - * I. Request for Approval for the Use of Appropriated Contingency for Water Treatment Plant Blower Building Roof Repair
 - ◆ J. Personnel Committee
 - 1. CCWA Succession Planning - Accounting Staff
 - * K. Legislative Report
- V. Reports from Board Members for Information Only**
- VI. Items for Next Regular Meeting Agenda**
- VII. Date of Next Regular Meeting: October 24, 2019**
- VIII. Adjournment**

S.Y.R.W.C.D.ID. #1

SEP 23 2019

RECEIVED

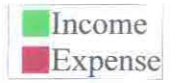
- * Indicates attachment of document to original agenda packet.
- ◆ Indicates enclosure of document with original agenda packet.

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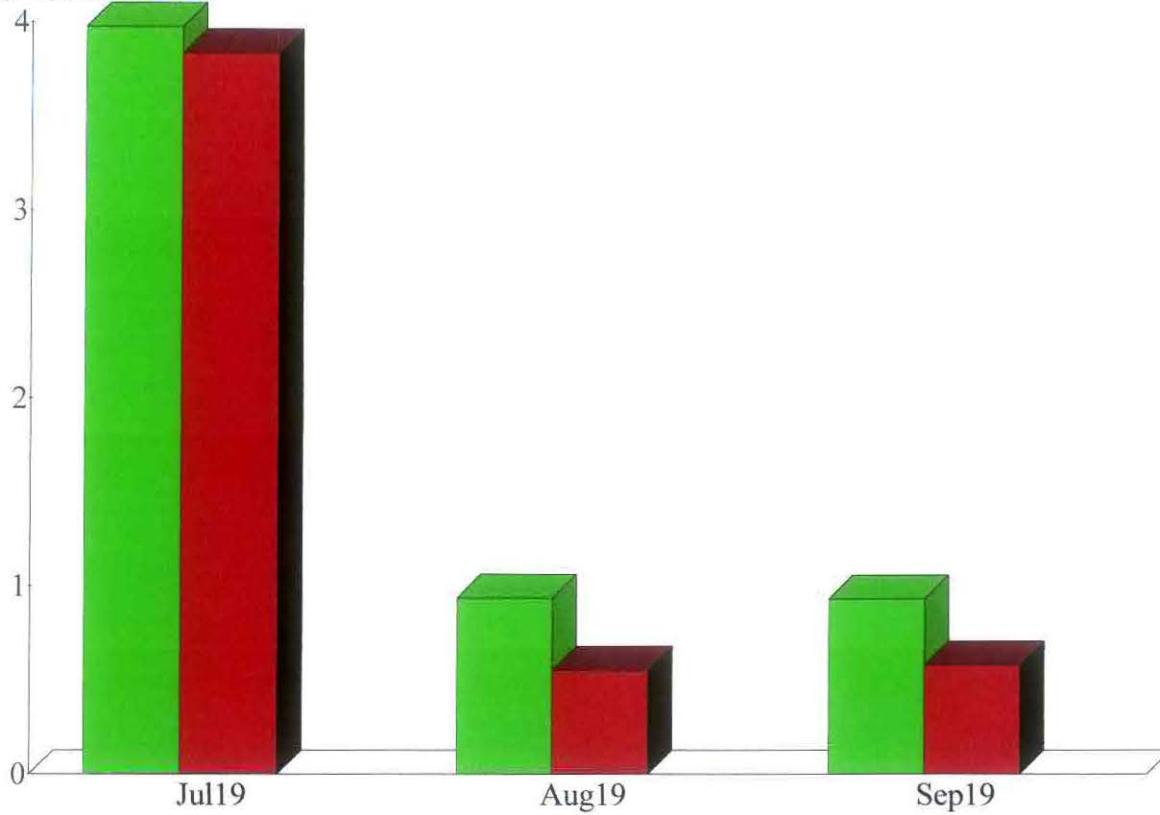
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Income and Expense by Month
July through September 2019

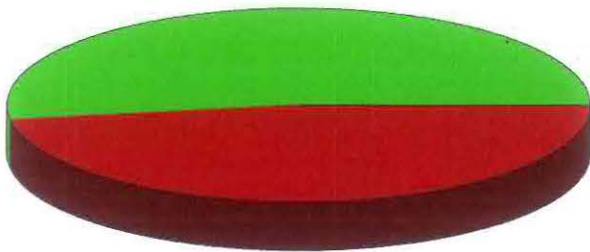


\$ in 1,000,000's



Income Summary
July through September 2019

625000 · ASSESSMENTS, FEES & OTH	52.60%
600000 · SERVICE & SALES REVENUE	47.40%
Total	\$5,842,126.18

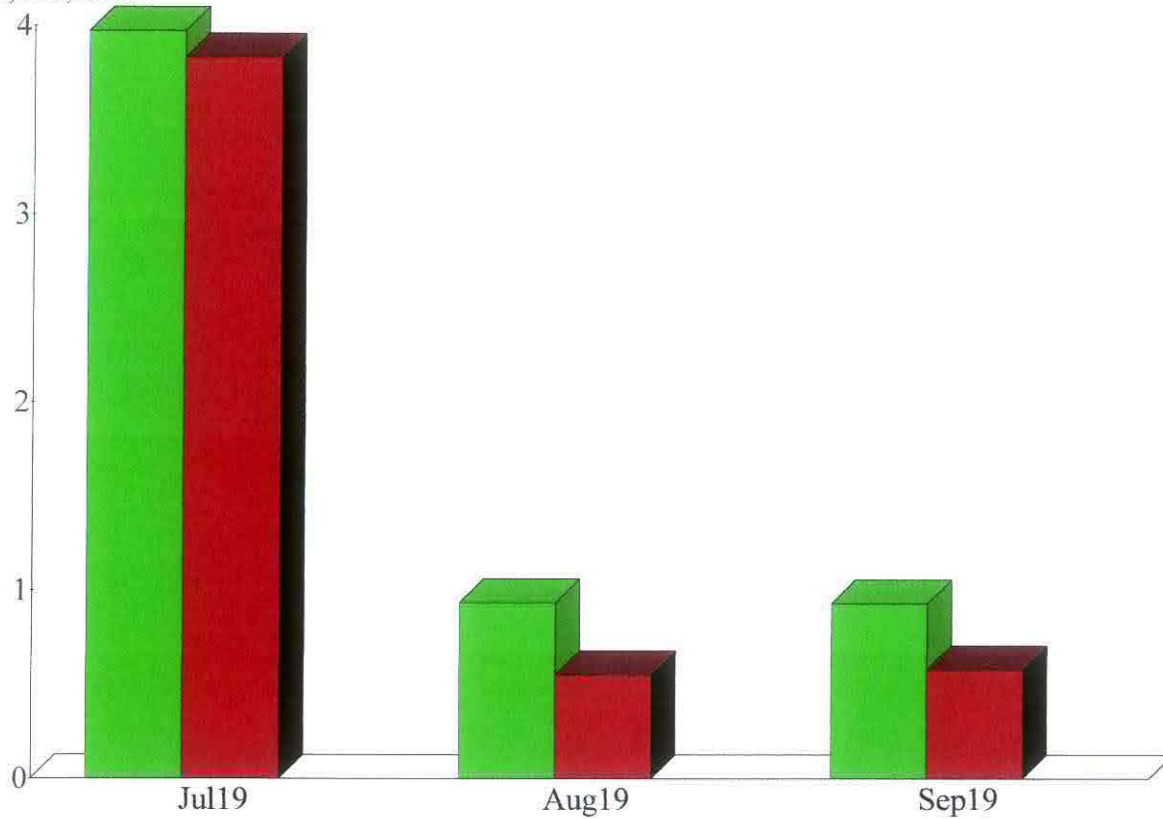


By Account

Income and Expense by Month
July through September 2019

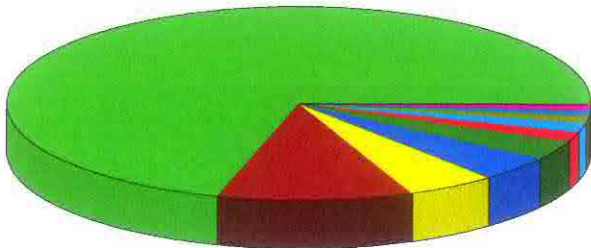
Income
Expense

\$ in 1,000,000's



Expense Summary
July through September 2019

702000	SOURCE OF SUPPLY EXPENSE	70.60%
770000	GENERAL & ADMIN EXPENSE	10.97
750000	TRANSMISSION & DIST. EXPEN	5.06
725000	PUMPING EXPENSES	4.27
825000	STUDIES	3.45
710000	INFRASTRUCTURE EXPENSES	1.67
800000	LEGAL/ENGINEERING	1.65
900370	Capital Expense - CY	1.15
900100	Constr in Progress CY	0.97
740000	WATER TREATMENT EXPENSES	0.20
Total		\$4,967,196.96



By Account

Santa Ynez River Water Conservation District ID #1
Statement of Revenues & Expenses
 September 2019

	Sep 19	Aug 19	% Change	Jul - Sep 19
Ordinary Income/Expense				
Income				
600000 · SERVICE & SALES REVENUE				
WATER SALES INCOME				
601000 · Water Sales - Agri.	142,416.58	148,493.63	-4.09%	426,164.67
602000 · Water Sales - Domestic	486,442.26	482,930.16	0.73%	1,442,846.96
602100 · Water Sales - RRLmtd Ag.	273,514.83	279,031.54	-1.98%	826,387.45
602200 · Water Sales - Cach Pk	1,507.75	2,153.23	-29.98%	5,783.24
604000 · Water Sales - Temp.	683.10	742.50	-8.0%	2,212.65
606000 · Water Sales - Solvang	4,305.70	4,305.70	0.0%	12,917.10
608000 · Water Sales - On-Demand	1,360.29	1,152.39	18.04%	4,268.97
611500 · Fire Service Fees	9,725.20	11,121.11	-12.55%	30,274.51
Total WATER SALES INCOME	919,955.71	929,930.26	-1.07%	2,750,855.55
SERVICE INCOME				
611200 · Reconnection Fees	2,250.00	1,875.00	20.0%	6,825.00
611900 · New Fire Services	3,040.00	0.00	100.0%	3,040.00
612400 · Penalties	3,028.39	2,632.74	15.03%	8,507.19
Total SERVICE INCOME	8,318.39	4,507.74	84.54%	18,372.19
Total 600000 · SERVICE & SALES REVENUE	928,274.10	934,438.00	-0.66%	2,769,227.74
625000 · ASSESSMENTS, FEES & OTHER				
611600 · Capital Facilities Chrg.	0.00	0.00	0.0%	3,502.21
620000 · OTHER REVENUES				
624300 · Gain/Loss-Asset Disposal	0.00	1,000.00	-100.0%	1,000.00
Total 620000 · OTHER REVENUES	0.00	1,000.00	-100.0%	1,000.00
620006 · Reimbursed Field Labor	0.00	0.00	0.0%	121.69
620008 · Reimbursed Admin Labor	0.00	0.00	0.0%	53.97
624000 · Miscellaneous Revenue	852.00	663.50	28.41%	2,035.00
625200 · Administrative Fees	750.00	0.00	100.0%	1,250.00
628000 · INTEREST INCOME				
629100 · Interest Income -PIMMA	511.95	430.27	18.98%	1,350.63
630000 · Interest Income - Cking	2.81	2.37	18.57%	7.59
630100 · Interest Income - SY Ind	0.00	0.00	0.0%	1.37
Total 628000 · INTEREST INCOME	514.76	432.64	18.98%	1,359.59
634100 · Insurance Claims	0.00	0.00	0.0%	1,781.59
890100 · SWP Pmt. from Solvang	0.00	0.00	0.0%	3,061,794.39
Total 625000 · ASSESSMENTS, FEES & OTHER	2,116.76	2,096.14	0.98%	3,072,898.44
Total Income	930,390.86	936,534.14	-0.66%	5,842,126.18
Cost of Goods Sold				
702000 · SOURCE OF SUPPLY EXPENSES				
703000 · Cach. Water Entitlement	36,935.18	36,935.19	0.0%	110,805.56
704000 · State Water	111,416.40	111,416.39	0.0%	334,249.18
860000 · Solvang-SWPmt	0.00	0.00	0.0%	3,061,794.39
Total 702000 · SOURCE OF SUPPLY EXPENSES	148,351.58	148,351.58	0.0%	3,506,849.13

Santa Ynez River Water Conservation District ID #1
Statement of Revenues & Expenses
 September 2019

	Sep 19	Aug 19	% Change	Jul - Sep 19
710000 · INFRASTRUCTURE EXPENSES				
711000 · Maintenance - Wells	2,684.36	0.00	100.0%	41,019.96
712000 · Maintenance - Mains	1,026.74	2,241.22	-54.19%	11,474.10
713000 · Maintenance - Reservoirs	82.15	0.00	100.0%	3,046.37
714000 · Maintenance - Structures	569.08	0.00	100.0%	569.08
717000 · Bradbury Dam SOD	26,975.88	0.00	100.0%	26,975.88
Total 710000 · INFRASTRUCTURE EXPENSES	31,338.21	2,241.22	1,298.27%	83,085.39
725000 · PUMPING EXPENSES				
726000 · Pumping Expense (Power)	60,513.43	77,029.84	-21.44%	205,611.94
730000 · Maintenance - Structures	3,374.00	167.46	1,914.81%	6,190.60
732000 · Maintenance - Equipmt.	0.00	0.00	0.0%	392.00
Total 725000 · PUMPING EXPENSES	63,887.43	77,197.30	-17.24%	212,194.54
740000 · WATER TREATMENT EXPENSES				
744000 · Chemicals	0.00	4,153.49	-100.0%	4,153.49
747000 · Maintenance - Structures	0.00	117.36	-100.0%	117.36
748000 · Maintenance - Equipment	739.59	0.00	100.0%	739.59
748100 · Water Treatment - Equipm	151.80	18.43	723.66%	1,404.13
748200 · Water Sampling/Monitor	962.33	0.00	100.0%	981.67
749000 · Water Analysis	0.00	1,640.00	-100.0%	2,540.00
Total 740000 · WATER TREATMENT EXPENSES	1,853.72	5,929.28	-68.74%	9,936.24
750000 · TRANSMISSION & DIST. EXPENSES				
799501 · Uniforms T&D	810.61	813.64	-0.37%	2,692.69
775401 · ACWA - Health Ins. (T&D)	17,635.02	18,130.25	-2.73%	53,400.29
775201 · ACWA - Delta Dental (T&D)	683.16	791.40	-13.68%	2,157.72
775301 · ACWA - Vision (T&D)	137.34	154.89	-11.33%	429.57
751000 · Labor	48,563.58	46,528.79	4.37%	137,510.87
751100 · Labor / Vacation	1,444.26	2,376.98	-39.24%	9,266.18
751200 · Labor / Sick Leave	1,286.18	1,872.85	-31.33%	5,049.48
752100 · Safety Equipment	91.80	440.78	-79.17%	611.50
752000 · Materials/Supplies - Other	126.88	470.11	-73.01%	943.71
Total 752000 · Materials/Supplies	218.68	910.89	-75.99%	1,555.21
753000 · SCADA Maintenance	540.00	0.00	100.0%	540.00
754000 · Small Tools	5,582.17	403.29	1,284.16%	6,991.32
754100 · Small Tools - Repairs	21.53	0.00	100.0%	139.30
755000 · Transportation	3,327.40	7,455.05	-55.37%	18,023.97
756000 · Meter Services	0.00	0.00	0.0%	4,709.02
756100 · Meter Services - Repair	3,691.48	475.82	675.81%	4,631.40
758100 · Meter Reading (Sensus)	0.00	1,203.46	-100.0%	1,203.46
759000 · Maintenance - Structures	165.43	0.00	100.0%	174.57
760000 · Fire Hydrants	338.04	331.04	2.12%	991.07
762000 · Backhoe-Maintenance	347.99	0.00	100.0%	347.99
763000 · Generators/Maintenance	1,573.18	0.00	100.0%	1,573.18
Total 750000 · TRANSMISSION & DIST. EXPENSES	86,366.05	81,448.35	6.04%	251,387.29
Total COGS	331,796.99	315,167.73	5.28%	4,063,452.59
Gross Profit	598,593.87	621,366.41	-3.67%	1,778,673.59

Santa Ynez River Water Conservation District ID #1
Statement of Revenues & Expenses
 September 2019

	Sep 19	Aug 19	% Change	Jul - Sep 19
Expense				
4000 · Reconciliation Discrepancies	0.00	0.00	0.0%	0.00
770000 · GENERAL & ADMIN EXPENSES				
6560 · Payroll Expenses	32.00	34.00	-5.88%	100.00
775000 · PERS - Retirement	24,044.24	24,798.16	-3.04%	73,269.04
775200 · ACWA - Dental (Admin)	694.72	588.60	18.03%	2,084.16
775300 · ACWA - Vision (Admin)	137.68	120.47	14.29%	413.04
775400 · ACWA - Medical Insurance(Admin)	16,541.84	14,436.21	14.59%	49,625.52
777000 · Salaries - Administrative Staff	79,656.65	79,709.86	-0.07%	244,755.60
777100 · Salaries / Vacation	1,636.81	2,520.37	-35.06%	11,142.62
777200 · Salaries / Sick Leave	368.71	150.41	145.14%	1,469.49
777300 · Admin - Sick Hr.Rate	37.29	18.65	99.95%	242.39
777400 · Admin.- Vac. Hr.Rate	689.87	186.45	270.0%	2,436.03
778000 · Training, Travel & Conferences	2,358.21	1,135.49	107.68%	3,942.69
779000 · Dues,Subscrip,Certif.	328.20	165.16	98.72%	553.36
780000 · Building Maintenance	200.00	245.98	-18.69%	645.98
781000 · Office Supplies	858.73	215.25	298.95%	1,723.68
782000 · Postage & Printing	4,302.37	3,900.28	10.31%	11,743.75
783000 · Utilities	897.09	1,025.62	-12.53%	2,935.41
784000 · Telephone	1,169.20	2,131.34	-45.14%	4,504.59
785000 · Special Services	621.87	739.76	-15.94%	1,953.66
785100 · Government Fees	50.00	50.00	0.0%	6,078.00
786000 · Insurance & Bonds	4,490.65	4,490.61	0.0%	13,471.87
787000 · Payroll Taxes	7,873.86	8,196.98	-3.94%	26,689.84
788000 · Audit - Expenses				
788100 · General Accounting	0.00	3,884.00	-100.0%	3,884.00
788000 · Audit - Expenses - Other	0.00	15,756.80	-100.0%	15,756.80
Total 788000 · Audit - Expenses	0.00	19,640.80	-100.0%	19,640.80
789000 · Legal - Expenses Gen.	197.50	2,277.50	-91.33%	8,368.71
790000 · Gen/Prfsnl Consultant Expenses	600.00	6,590.80	-90.9%	12,261.90
793000 · Office Equip. Service Contracts	2,522.04	2,202.51	14.51%	7,180.20
794000 · Interest Expenses	0.00	0.00	0.0%	21,293.75
794100 · Annual Fee - Bond Fund	0.00	1,375.00	-100.0%	1,375.00
797000 · Trustee Fees	1,960.00	2,400.00	-18.33%	6,760.00
799000 · Miscellaneous Expenses/Vendors	2,702.82	2,463.96	9.69%	7,285.76
799525 · Gardening Service	240.00	240.00	0.0%	887.02
799600 · Customer Refunds	0.00	0.00	0.0%	0.00
Total 770000 · GENERAL & ADMIN EXPENSES	155,212.35	182,050.22	-14.74%	544,833.86
Total Expense	155,212.35	182,050.22	-14.74%	544,833.86
Net Ordinary Income	443,381.52	439,316.19	0.93%	1,233,839.73
Other Income/Expense				

Santa Ynez River Water Conservation District ID #1
Statement of Revenues & Expenses
 September 2019

	Sep 19	Aug 19	% Change	Jul - Sep 19
Other Expense				
800000 · LEGAL/ENGINEERING				
800100 · Legal - BHFS				
800102 · Sustainable Grndwtr Mgmt Act	0.00	279.53	-100.0%	650.03
Total 800100 · Legal - BHFS	0.00	279.53	-100.0%	650.03
800200 · Legal -BB&K/Consultants				
800201 · NMFS Biop Recon/Stlhd Rcvry Pln	2,664.50	9,249.85	-71.19%	22,223.35
800202 · SWRCB 94-5 Hearing (BBK)	7,264.50	0.00	100.0%	7,264.50
Total 800200 · Legal -BB&K/Consultants	9,929.00	9,249.85	7.34%	29,487.85
800300 · Engineering	0.00	862.25	-100.0%	1,322.45
800500 · Unanticipated Spc Legal Expense	14,044.50	16,417.36	-14.45%	50,746.08
Total 800000 · LEGAL/ENGINEERING	23,973.50	26,808.99	-10.58%	82,206.41
825000 · STUDIES				
825400 · CCRB (Shared Consultants)				
825401 · Joint Bio Op Recon.-Consultants	30,753.78	9,341.62	229.21%	40,899.40
Total 825400 · CCRB (Shared Consultants)	30,753.78	9,341.62	229.21%	40,899.40
825500 · Hydrology SYR;RiverWare-Stetson	0.00	0.00	0.0%	89.50
825600 · SB Co Water Agency				
825601 · Integrated Regional Water Man.	0.00	399.83	-100.0%	399.83
825600 · SB Co Water Agency - Other	0.00	0.00	0.0%	4,737.15
Total 825600 · SB Co Water Agency	0.00	399.83	-100.0%	5,136.98
825800 · BiOp Implementation	25,212.40	0.00	100.0%	125,001.43
Total 825000 · STUDIES	55,966.18	9,741.45	474.52%	171,127.31
900100 · Constr in Progress CY				
900311 · Chlorine Big @ Wells	679.74	7,465.45	-90.9%	8,145.19
900332 · Water Treatment Plant/Fac	7,905.00	2,766.71	185.72%	10,671.71
900106 · Rehab/Rplc - Trans. Mains/Lats	3,887.21	370.00	950.6%	4,719.71
900350 · Uplands Wells	0.00	1,784.50	-100.0%	24,769.57
Total 900100 · Constr in Progress CY	12,471.95	12,386.66	0.69%	48,306.18
900370 · Capital Expense - CY				
900318 · Meter Replace/Utility Billing	0.00	0.00	0.0%	1,000.00
900373 · Fleet Vehicle Addition/Replace	0.00	0.00	0.0%	0.00
900376 · Communications/Telemetry-SCADA	480.00	0.00	100.0%	800.00
900378 · Mjr. Tools, Shop & Garage Equip	0.00	6,336.61	-100.0%	55,470.61
Total 900370 · Capital Expense - CY	480.00	6,336.61	-92.43%	57,270.61
Total Other Expense	92,891.63	55,273.71	68.06%	358,910.51
Net Other Income	-92,891.63	-55,273.71	-68.06%	-358,910.51
Net Income	350,489.89	384,042.48	-8.74%	874,929.22

Santa Ynez River Water Conservation District ID #1

Warrant List for Board Approval

September 18 through October 17, 2019

Date	Num	Name	Amount
Sep 18 - Oct 17, 19			
09/30/2019	22589	ACWA/JPIA - Health	\$ 37,499.15
10/17/2019	22590	ACWA/JPIA - Premiums & Dues	\$ 44,405.00
10/17/2019	22591	AG Mechanical Engineers	\$ 2,960.00
10/17/2019	22592	All Around Landscape Supply	\$ 138.14
10/17/2019	22593	Ameravant Inc.	\$ 89.00
10/17/2019	22594	Aramark Uniform Serv Inc.	\$ 798.02
10/17/2019	22595	Association of California Water Agencies	\$ 16,323.18
10/17/2019	22596	Autosys, Inc.	\$ 1,340.00
10/17/2019	22597	B of A Business Card Services-CD	\$ 1,973.51
10/17/2019	22598	Bartlett, Pringle & Wolf, LLP	\$ 19,640.80
10/17/2019	22599	Bertin Pulido	\$ 935.00
10/17/2019	22600	Best Best & Krieger LLP	\$ 41,522.28
10/17/2019	22601	Big Red Crane Company	\$ 600.00
10/17/2019	22602	Brownstein, Hyatt, Farber, Schreck	\$ 13,402.50
10/17/2019	22603	Buellflat Rock Company, Inc.	\$ 149.77
10/17/2019	22604	Voided check	\$ -
09/30/2019	EFT	CalPERS - Sept. 19	\$ 27,287.80
09/30/2019	EFT	CA State Disbursement Dept. - Sept. 19	\$ 1,013.00
10/17/2019	22605	California Special Districts Association	\$ 7,615.00
10/17/2019	22606	Carla Jacobsen	\$ 350.13
10/17/2019	22607	Central Coast Health & Safety, LLC	\$ 922.25
10/17/2019	22608	Central Coast Water-Authority/Solvang	\$ 8,597.00
10/17/2019	22609	Central Coast Water Authority	\$ 14,328.00
10/17/2019	22610	Chevron - Wex Bank	\$ 89.38
10/17/2019	22611	CIO Solutions, LP	\$ 1,899.93
10/17/2019	22612	Clinical Lab of San Bernardino Inc.	\$ 1,640.00
10/17/2019	22613	Co S B/ Public Works Dept /Dump Chg	\$ 117.00
10/17/2019	22614	Coastal Copy	\$ 229.50
10/17/2019	22615	Continental Utility Solutions, Inc.	\$ 113.32
10/17/2019	22616	D.L. Electric, Inc.	\$ 3,374.00
10/17/2019	22617	Daniels Equipment Inc.	\$ 3,000.00
10/17/2019	22618	Dig Safe Board	\$ 25.47
10/17/2019	22619	Echo Communications	\$ 172.90
09/30/2019	EFT	Employment Dev. Dept. - Sept. 19 Payroll Taxes	\$ 791.40
10/17/2019	22620	Fat Cat Welding, Inc.	\$ 1,135.00
10/17/2019	22621	FedEx	\$ 25.62
10/17/2019	22622	Filippin Engineering	\$ 1,387.50
10/17/2019	22623	Harrison Hardware Inc	\$ 411.33
10/17/2019	22624	ICONIX Waterworks (US) Inc.	\$ 1,881.70
10/17/2019	22625	Iron Mountain	\$ 65.37
10/17/2019	22626	IVR Technology Group, LLC	\$ 78.01
10/17/2019	22627	J. Winther Chevron, Inc.	\$ 143.58
10/17/2019	22628	Jan-Pro Cleaning Systems	\$ 200.00
10/17/2019	22629	JANO Printing & Mailworks	\$ 3,301.02
10/17/2019	22630	Jim Vreeland Ford	\$ 109.06

Santa Ynez River Water Conservation District ID #1

Warrant List for Board Approval

September 18 through October 17, 2019

Date	Num	Name	Amount
10/17/2019	22631	Lee Central Coast Newspapers	\$ 21.00
09/30/2019	EFT	Lincoln - Sept. 19	\$ 1,400.00
10/17/2019	22632	Mary Martone	\$ 56.49
10/17/2019	22633	McCall's Meter Sales & Service	\$ 60.38
10/17/2019	22634	McCormix Corp	\$ 3,080.38
10/17/2019	22635	Mission Ready Mix	\$ 1,729.34
10/17/2019	22636	Nextel/Sprint Communications	\$ 34.99
10/17/2019	22637	Nielsen Building Materials Inc	\$ 928.74
10/17/2019	22638	O'reilly Auto Parts	\$ 99.33
10/17/2019	22639	P G & E	\$ 76,241.31
10/17/2019	22640	Paeter Garcia	\$ 197.35
09/30/2019	EFT	Payroll - Sept. 19	\$ 95,942.78
10/17/2019	22641	Praxair Distribution Inc	\$ 31.54
10/17/2019	22642	Quill	\$ 414.17
09/30/2019	EFT	Rabobank - Sept. 19 Payroll Taxes	\$ 31,758.72
10/17/2019	22643	Richard Armstrong	\$ 26.93
10/17/2019	22644	SM FAMCON PIPE SUPPLY	\$ 10,020.23
10/17/2019	22645	Smith Engineering Associates	\$ 4,566.25
10/17/2019	22646	Sousa Tire Service, LLC	\$ 2,718.62
10/17/2019	22647	Star Drug Co.	\$ 35.18
10/17/2019	22648	Stetson Engineers Inc	\$ 2,648.78
10/17/2019	22649	Stradling Yocca Carlson & Rauth	\$ 948.00
10/17/2019	22650	SYCSD	\$ 438.01
10/17/2019	22651	The Gas Company	\$ 19.40
10/17/2019	22652	Trustee/ Brad Joos	\$ 800.00
10/17/2019	22653	Trustee/ Harlan Burchardi	\$ 1,000.00
10/17/2019	22654	Trustee/ Jeff Clay	\$ 600.00
10/17/2019	22655	Trustee/ Lori Parker	\$ 600.00
10/17/2019	22656	Trustee/ Michael Burchardi	\$ 400.00
10/17/2019	22657	Underground Service Alert	\$ 85.90
10/17/2019	22658	USA Bluebook	\$ 6,736.26
10/17/2019	22659	Verizon Wireless	\$ 843.96
10/17/2019	22660	Viking Press Inc.	\$ 594.78
10/17/2019	22661	Waste Management of Santa Maria	\$ 310.46
10/17/2019	22662	William Howard Wittausch	\$ 21,514.58
10/17/2019	22663	William J Brennan	\$ 600.00

Sep 18 - Oct 17, 19

GRAND TOTAL \$ 529,584.48



To: Board of Trustees

From: Chris Dahlstrom, General Manager
Mary Martone, Administrative Manager

Date: October 17, 2019

Subject: SURPLUS PROPERTY DISPOSITION POLICY

STAFF REPORT

BACKGROUND:

In order to efficiently maintain District inventory and operations, it is advisable to have a policy for the identification and disposition of surplus property, other than real property, including but not limited to materials, supplies, vehicles, and equipment.

The purpose of the Surplus Property Disposition Policy is to establish a procedure for the efficient and cost-effective disposition of surplus property and to ensure internal checks and balances. It remains the intention of the District to first seek opportunities for the reuse of its property before disposition.

As always, the Board of Trustees reserves the right to review and amend the Surplus Property Disposition Policy at any time or to alter or modify its procedures at their discretion for any particular circumstance.

RECOMMENDATION:

Approve Resolution No. 793, A Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 adopting the Surplus Property Disposition Policy.

**SANTA YNEZ RIVER WATER CONSERVATION DISTRICT, IMPROVEMENT DISTRICT NO.1
SURPLUS PROPERTY DISPOSITION POLICY**

A. Definition of Property

As used in this Policy, "Property" refers to assets owned by the Santa Ynez River Water Conservation District, Improvement District No.1 (District), except for real property. In order to efficiently dispose of surplus Property, including but not limited to materials, supplies, office equipment, electronics, and vehicles, it is beneficial for the District to have a Surplus Property Disposition Policy.

B. Disposition of Surplus Property Valued at Less than \$5,000

In cases in which Property in the General Manager's reasonable discretion has an estimated present value of less than \$5,000, the General Manager may dispose of such Property without Board of Trustee (Board) approval if the General Manager, at his/her discretion, determines that the Property is obsolete, non-functional, or no longer necessary for District purposes. Upon these determinations, the General Manager may dispose of the surplus Property, but must do so by first offering it for sale to employees by written bids in accordance with the Guidelines for Disposition of Surplus Property below, or by using any other reasonable method, which in the discretion of the General Manager is an efficient and effective method of disposition for the District. If no employee bid(s) are submitted, the next offer of such Property would be to the public using the sealed bid process in accordance with the Guidelines for Disposition of Surplus Property below, or by using any other reasonable method, which in the discretion of the General Manager is an efficient and effective method of disposition for the District.

C. Disposition of Surplus Property Valued at \$5,000 or More

In cases in which Property in the General Manager's reasonable discretion has an estimated present value of more than \$5,000, the Board must declare the Property surplus before the General Manager may dispose of it. For Property governed by this Paragraph C, the Board must determine, in its discretion, that such Property is obsolete, non-functional, or no longer necessary for District purposes, based on a report to the Board from the General Manager regarding the condition of the Property and its use by the District. Upon a determination by the Board that the Property is surplus to the needs of the District, the General Manager may dispose of the Property by employee written bids, by public sealed bids, by use of an auctioning service, or by other means in accordance with the Guidelines for Disposition of Surplus Property below. In all

instances, the General Manager shall dispose of surplus Property in a manner which in his/her discretion is efficient and cost-effective for the District.

D. Guidelines for Disposition of Surplus Property:

Computer Equipment; Sensitive Data: Prior to the disposition of surplus computer equipment, regardless of the estimated value thereof, the General Manager or his/her authorized designee must undertake reasonable and prudent steps to ensure that data residing on such equipment is securely erased and that any hard drive is removed by the District's approved Information Technology vendor. A certification from the District's approved Information Technology vendor must be retained at the District office.

Employee Written Bids: As provided by this Policy, the General Manager may allow District employees to bid on certain items of surplus Property. The General Manager in his/her discretion may set minimum bids for individual items. Using forms provided by the District, an employee may submit a written bid for each item in which the employee is interested. Completed bids shall be submitted prior to the deadline established by the General Manager. In the event of a tie (that is, two or more employees submit bids in the same amount), the bidders that submitted the tying bids will be invited to rebid on that particular item. The General Manager may reject any and all written bids if the General Manager in his/her discretion deems the rejection to be in the best interest of the District. Alternatively, the Property may be awarded to the highest bidder. All surplus Property shall be sold "as is" and with no guarantees, warranties, or representations of any kind. Payment shall be in cash, or by certified or cashier's check, or by direct bank transfer, where any required transfer fees shall be paid by the buyer and the Property shall be transferred only into the name of the successful bidder. Members of the Board and the General Manager are prohibited from bidding on surplus Property.

Public Sealed Bids: As provided by this Policy, the General Manager may decide to dispose of surplus Property by advertising for one day in a newspaper of general circulation within the District and posting a notice on District premises inviting sealed bids from the public using forms provided by the District. Such advertisement and posting shall occur at least seven (7) days, but not more than twenty-one (21) days, in advance

of the day established to open the sealed bids. The General Manager in his/her discretion may set minimum bids for individual items.

1. Presentation of Bids: All bids shall be presented to the District as specified in the advertisement and notice under sealed cover on forms provided by the District.
2. Opening of Bids: At the time and place set forth in the advertisement and notice, the bids shall be opened in public.
3. Acceptance or Rejection of Bids: The General Manager may reject any and all bids if the General Manager in his/her discretion deems the rejection to be in the best interest of the District. Alternatively, the Property may be awarded to the highest bidder. All surplus Property shall be sold "as is" and with no guarantees, warranties, or representations of any kind. Payment shall be in cash, or by certified or cashier's check, or by direct bank transfer. Any required transfer fees shall be paid by the buyer and the Property shall be transferred only into the name of the successful bidder.
4. Members of the Board and the General Manager are prohibited from bidding on surplus Property.

Auctioning Service: Property that has been declared surplus by the Board under Paragraph C of this Policy may be disposed of by the General Manager through the use of a reputable and experienced professional auctioning service. If this method for disposition is selected by the General Manager, the assets shall be picked up from the District by the auctioning service for sale at a public auction location, and any such Property shall be provided to the auctioning service "as is" and with no guarantees, warranties, or representations of any kind.

Donation to Public or Non-Profit Entity: If in the General Manager's discretion the foregoing methods of disposition are not feasible, practicable, or not in the best interest of the District, surplus Property may be donated to a charitable organization, to another public or non-profit agency, or local school, or disposed of as waste or recyclable material in compliance with applicable requirements.

RESOLUTION No. 793

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE SANTA YNEZ RIVER WATER
CONSERVATION DISTRICT, IMPROVEMENT DISTRICT NO. 1
ADOPTING THE SURPLUS PROPERTY DISPOSITION POLICY

WHEREAS, The Santa Ynez River Water District, Improvement District No.1 (ID No.1), from time to time, has surplus property, other than real property, that is no longer needed or useable by the ID No.1; and,

WHEREAS, the purpose of the Surplus Property Disposition Policy is to provide a procedure for the efficient and effective disposition of surplus property; and,

WHEREAS, the Board of Trustees has reviewed the Surplus Property Disposition Policy as presented.

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

Approves and Adopts Resolution No. 793 - Surplus Property Disposition Policy, as incorporated herein as Exhibit A.

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

WE, THE UNDERSIGNED, being duly qualified and acting President and Secretary to the Board, 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 Special meeting held on October 17, 2019 by the following roll call vote:

AYES, Trustees:

NOES, Trustees:

ABSENT, Trustees:

ATTEST:

Mary Martone - Secretary to the Board of Trustees

BELL, McANDREWS & HILTACHK, LLP

ATTORNEYS AND COUNSELORS AT LAW

455 CAPITOL MALL, SUITE 600
SACRAMENTO, CA 95814

(916) 442-7757
FAX (916) 442-7759

MEMORANDUM

October 10, 2019

TO: District Trustees

FROM: Charles H. Bell, Jr.

RE: District Prevails on Lawsuit Against County Registrar of Voters, Vindicating the Public's Right to Valid Election

The Santa Ynez River Water Conservation District, Improvement District No. 1 (District) has prevailed in the lawsuit it was forced to bring in November 2018 against the Santa Barbara County Registrar of Voters (Elections Office). (*Santa Ynez River Water Conservation District, ID No. 1 v. Joe Holland*, Santa Barbara County Superior Court Case # 18CV05437). The lawsuit became necessary when, for the first time since the enactment of California Water Code section 75166.2 in 1965, the Elections Office unilaterally determined that it would not enforce specific candidate eligibility requirements to be elected to the District's Board of Trustees. By refusing to enforce these requirements, the Elections Office exceeded its ministerial powers and violated the California Water Code and Elections Code. Through this lawsuit, the District asked the court to clarify that the Elections Office does not have discretion or authority to decide whether or not to enforce the candidate eligibility requirements for the District as clearly laid out in the Water and Elections Codes.

The District offered to settle the case without litigation, but the Elections Office declined. A trial was held in July 2019 in the Santa Barbara County Superior Court, and Judge Timothy J. Staffel ruled overwhelmingly in the District's favor in an Amended Statement of Decision and Judgment entered on September 20, 2019. Notably, the lawsuit did not challenge the results of the 2018 election. Instead, it focused on whether the Elections Office exceeded its authority by not following applicable Code requirements in the District's November 2018 election of Trustees.

The court ruled that the Elections Office had, and continues to have, a ministerial duty to follow the Water Code and Elections Code, and does not have the discretion or authority to disregard the eligibility requirements established by the California Legislature. The District's lawsuit enforced a fundamental and highly important right—the public's interest in assuring that the Elections Office complies with the letter of the law and only certifies qualified candidates to be elected or appointed as a Trustee of the District.

As background, the California Water Code requires Board of Trustee candidates to be registered voters and own land within the division of the District for which they seek to be elected or appointed. The District's landowner requirement is similar to those in place for various other agencies throughout the state and for another water district currently being formed in Santa Barbara County.

As a direct result of the District's action: (1) all residents of Santa Barbara County can be assured that the Elections Office will follow and enforce the express provisions of California statutes that apply to elections in the County, and will not substitute its own judgment for that of a court or the Legislature; and (2) all residents within the District's service area can be assured that the District will be governed by a Board of Trustees that are legally qualified to hold office. Those assurances would not exist but for the District's suit against the Elections Office.

The District is currently evaluating its options for seeking recovery of its attorneys' fees expended on the lawsuit under the "private attorney general" fee recovery statute – California Code of Civil Procedure section 1021.5 – which provides for fee recovery when as here a lawsuit vindicates an important public interest.

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FILED
SUPERIOR COURT of CALIFORNIA
COUNTY OF SANTA BARBARA

SEP 20 2019

Darrel E. Parker, Executive Officer

BY J. Hernandez
J. Hernandez, Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA,
IN AND FOR THE COUNTY OF SANTA BARBARA

SANTA YNEZ RIVER WATER

CONSERVATION DISTRICT

IMPROVEMENT DISTRICT NO. 1

Plaintiff,

Vs.

JOE HOLLAND

Respondent.

) Case No.: 18CV05437

) AMENDED STATEMENT OF DECISION

) Date of Hearing: 8/14/2019 and 9/17/2019

) Dept. SM1

) Judge Timothy J. Staffel

This case involves a petition for declaratory relief filed by Plaintiff Santa Ynez River Water Conservation District, Improvement District No. 1, (hereinafter, the "Water District") against Defendant Joe Holland, (hereinafter, the Elections Office") in his capacity as Santa Barbara County Clerk- Recorder, which, as one of its functions, serves as the Elections Office for the county.

This instant case references, but does not decide, a specific controversy with respect to two candidates who filed declarations of candidacy for a position as Trustee of the Water District for the November 6, 2018 general election cycle as more fully set forth in the Water District and the Elections Offices' Joint Statement of Undisputed Facts filed July 15, 2019. The undisputed facts establish that there is an on-going future controversy between the Water District and Defendant the Elections Office concerning the qualification standards for candidate for election or appointment to the Board of Trustees with statewide mandated election deadlines looming for the 2020 election year cycle. Therefore,

1 declaratory relief is warranted to provide guidance and recommendation to provide some level of
2 certainty, save time and to avoid unnecessary expenditure of taxpayer funds.

3 The Court concludes and rules in this case that:

- 4 ■ Declaratory relief is appropriate
- 5 ■ The Elections Office has a ministerial duty to ensure enforcement of Water Code, section
6 75166.2 when read in conjunction with Election Code, section 10514.
- 7 ■ When the evidence clearly shows that a candidate for a Board of Trustees of the Water
8 District cannot meet the statutory candidacy qualification requirements, the Elections Office
9 shall reject the candidate's declaration and deny placement of the candidate's name on the
10 ballot – leaving it to a judicial determination as to whether any court challenge, if made, is
11 appropriate.
- 12 ■ To facilitate the Elections Office in fulfilling its ministerial duty in a cost efficient way, the
13 Court recommends, but does not order, the Elections Office to consider modifying its current
14 procedures (as set forth in the undisputed facts) to encompass a more detailed declaration of
15 candidacy form in which the proposed candidate(s) provides sufficient information which
16 lends itself to quick verification by the Elections Office that the proposed candidates meets
17 the statutory qualifications.
- 18 ■ The Court adopts the Proposed Judgment on the Second Amended Complaint for declaratory
19 relief attached hereto as Exhibit "A", submitted jointly by the parties on September 13, 2019.
20 Said Judgment shall be entered forthwith.

21 The basis for the Court's rulings in this matter is set forth in some detail below to provide
22 guidance in this area of the election process for all involved parties and participants.

23 The Water District filed an unverified second amended complaint against the Elections Office in
24 this capacity as Santa Barbara County-Clerk Recorder "Elections Office" for declaratory relief. The
25 Water District contends there is an on-going, future controversy concerning the qualification standards for
26 the election or appointment for the Board of Trustees of District, for there is a current vacancy to be
27 filled, and further, a pending election on November 2020. The Water District asks the court whether the
28 statutory qualifications for any future District position are clearly and unambiguously set forth in the

1 Water Code section 75166.2¹ and Election Code section 10514², and whether the Election Office can
2 certify only those candidates for election who meet the statutory candidacy requirements. The Elections
3 Office does not actually take a position on these points, however contends that the Elections Office has no
4 ministerial duty to investigate qualifications and/or adjudicate disputes between punitive candidates, and
5 simply seeks “clarity” on the constitutionality of Water Code section 75166.2 for “future elections.”

6 Declaratory relief as requested by Water District (at least in a limited form) is appropriate. Code
7 of Civil Procedure section 1060 provides that anyone who desires clarification of the duties of another
8 may bring, in cases of an actual controversy, an action in declaratory relief. (*City of Cotati v Cashman*
9 (2002) 29 Cal. 4th 69, 79. The action operates prospectively to declare future obligations, rather than to
10 redress past wrongs. (*County of San Diego v State of California* (2008) 164 Cal. App. 4th 580, 607.) The
11 court is presented with an ongoing controversy between two protagonists in the election process, and it
12 appears their controversy likely will arise again without having judicial guidance. The undisputed facts
13 before the court reveal that before the November 6, 2018 election, one Brian Shultz and one Anita
14 Finifrock submitted declarations of candidacy of August 9-10, 2018 for Trustee of the District (division 1
15 and 2), each declaring compliance with all statutory requirements for the position. On August 17 2018,
16 the Water District presented evidence to the Elections Office (in the form of documentation) that showed
17 neither candidate actually met with the property ownership requirements contained in Water Code section
18 75166.2. There is no evidence to indicate these candidates challenged the District’s factual allegation:
19 they instead challenged the constitutionality of this requirement, although at no time did they seek or file
20 a judicial determination. The Elections Office felt its only option was to place both names on the ballot,
21 in light of a 2002 California Attorney General Opinion suggesting there is uncertainty about the
22 constitutionality of landowner requirements in general. (85 Ops. Cal. Atty. Gen. (2002) [granting John
23 Linden permission to sue in *quo warranto* challenge candidate’s qualifications for Helix Water District
24 due to failure, interalia, to own land in the district]; 8 Witkin Cal. Procedure (5th ed. 2008, 2019 Supp.),

25
26 ¹ This provision provides in relevant part that each “trustee must be a registered voter and a holder of title or
evidence of title, land in the special improvement district, and of the division in which he represents.”

27 ² This provision provides in full as follows: “The qualification of a candidate for elective officer, and of an elective
28 officer, of a district shall be determined by the principal act of that district.” “Principal act” is defined as “the law
providing for a creation of a particular district or agency or type of district of agency.” (Elec. Code §10500, subd.
(b) (9).)

1 Extraordinary Writs, §§ 27 to 31, pp. 907-912 [discussing *quo warranto* requirements under modern
2 statutory scheme contained in Code Civ. Proc., § 803, et. Seq.]

3 Initially, the Elections Office’s reliance on the 2002 Attorney General opinion is misplaced, for it
4 did not involve a county election official’s decision in the first instance to place a candidate’s name on the
5 ballot despite a clear statutory qualification requirement, as here. (See *California Assn. of Psychology*
6 *Providers v. Rank* (1990) 51 Cal.3d 1, 17; see also *California Building Industry Association v.*
7 *State Water Resources Control Board* (2018) 4 Cal.5th 1032, 1042.) It instead involved a request
8 by a private party to challenge the statutory requirement *after* the election through a *quo*
9 *warranto* action, which requires the Attorney General’s permission. For our immediate
10 purposes, it is sufficient to recount that a statute is presumed to be constitutional until its
11 constitutionality clearly, positively, and unmistakably appears. (*Boyer v. County of Ventura*
12 (2019) 33 Cal.App.5th 49, 53; see also *California Taxpayers Assn. v. Franchise Tax Bd.* (2010)
13 190 Cal.App.4th 1139, 1146 [the burden is on the challenger to show a statute is
14 unconstitutional].) “The very existence of a statute means it is there to enforce to be enforced.”
15 (*Billig v. Voges* (1990) 223 Cal.App.3d 962, 969.) Courts have thus concluded that city and
16 county election officers are mandated by the California Constitution to implement and enforce a
17 statute’s qualification requirements, and have no power to declare a statute unenforceable or
18 refuse to enforce a statute on the basis that it is unconstitutional *unless* an appellate court makes
19 a determination on the statute’s unconstitutionality. (Cal. Const, art III, § 3.5(a); *Billig, supra*, at
20 p. 969 [applying Cal. Const., art. III, § 3.5 to an elections official]; see *Boyer v. County of*
21 *Ventura, supra*, at p. 54 [county clerk required to enforce qualifications for county sheriff
22 imposed by statute].) This point was made clear in *Lockyer v. City and County of San Francisco*
23 (2004) 33 Cal.4th 1055, 1094, which concluded that even before article III, section 3.5 of the
24 California Constitution was adopted, a local executive official did not have the authority to
25 refuse to enforce a statute in the absence of a judicial determination that the statute is
26 unconstitutional. Because the adoption of article III, section 3.5 did not grant or expand the
27 authority of local executive officers to determine that a statute is unconstitutional and to act in
28 contravention of the statute’s terms, city and county officials do not possess this authority. It

1 follows, pursuant to Elections Code section 10513, that a county election official “shall examine
2 the declaration to determine if it conforms with provisions of this part and shall certify whether it
3 is sufficient. For this purpose, the elections official shall be entitled to obtain from any officer of
4 an affected county all information necessary to make this determination.” The Elections Office
5 has a “ministerial duty” to apply the requirements of Water Code section 75166.2. (See *Boyer*,
6 *supra*, at p. 54 [county clerk has a ministerial duty to determine whether declaration of candidacy
7 meets the statutory qualifications to run for county sheriff].) It follows that when evidence
8 unmistakably shows a candidate does not meet the statutory qualifications, a county official
9 should reject a candidate’s declaration of candidacy. (See, e.g., *Billig v. Voges*, *supra*, 223
10 Cal.App.3d at p. 969.)

11 The Elections Office insists that *Boyer v. County of Ventura*, relied on by Water District,
12 does not apply. The court is not persuaded. In *Boyer*, a candidate filed a candidate application
13 to be placed on the ballot for Ventura County Sheriff in the then-upcoming primary election.
14 Four days later, the county clerk advised the candidate that he had not submitted documentation
15 establishing his qualifications to run for that position, as required by Government Code section
16 24004.3. Boyer (the candidate) responded that the statute was unconstitutional and that the
17 county clerk’s refusal denied citizens the right to vote for the elected official of their own choice.
18 Boyer thereafter filed a writ petition with the trial court, although it was submitted too late to
19 allow the county clerk to add Boyer’s name to the ballot without substantial costs to the county.
20 (*Boyer, supra*, 33 Cal.5th at p. 53.) The trial court denied the petition for writ of mandate,
21 concluding the statutory qualifications for county sheriff contained in Government Code section
22 24004.3 were constitutional. After the election, the *Boyer* appellate court affirmed, concluding
23 the requirements are constitutional.

24 The situation presented by the undisputed facts here – and which may arise in the future –
25 is not far removed from *Boyer* despite the different nature of the independent special district
26 involved here. The candidates here (Mr. Shultz and Ms. Finifrock) filed their declarations of
27 candidacy before the November 6, 2018 election. When it became clear they were not
28 landowners as required by Water Code section 75166.2, they challenged the “lawfulness” of this

1 requirement. This is similar to what occurred in *Boyer*, although the candidate in *Boyer*
2 ultimately filed a petition for writ of mandate, while the candidates in this instant action did not.
3 *Boyer* clearly indicated that the Ventura County elections officer (Lunn) appropriately enforced
4 the statute by denying the candidate's placement on the ballot. "As county clerk, Lunn has a
5 ministerial duty to follow the Elections Code statute at issue. . . . A ministerial officer may not
6 add or subtract language to an unambiguous statute. Section 24003.4 provides that a candidate
7 for sheriff must possess one of five combinations of education and law-enforcement experience.
8 Lunn had no power to declare section 24004.3 unenforceable or refuse to enforce the statute
9 " (*Id.* at p. 55.) *Boyer* underscored this with a citation to *Billig v. Voges*, (1990), 223 Cal.App.3d
10 962, 969 which as noted above, emphasized that the "very existence of the statute means it is
11 there to be enforced." (*Boyer, supra*, at p. 55.) *Boyer* clearly indicates that Lunn properly
12 denied the candidate's request to place his name on the ballot given Lunn's ministerial duty to
13 ensure compliance with the statutory qualification requirements. The same rationale applies
14 here. The burden is clearly on the candidates – not the Elections Office – to advance a
15 constitutional challenge to the statutory qualification. The duty of the Elections Office is clear -
16 - to follow the statutory candidacy qualifications even if the official remains uncertain about the
17 statute's constitutionality, until a court determines the statute's constitutionality.

18 The Elections Office argues Water Code section 75166.2 is "ambiguous," unlike the
19 statute at issue in *Boyer*, requiring a different response. This argument is also unconvincing.
20 There is no ambiguity in Water Code section 75166.2 – it is as unambiguous as the language in
21 Government Code section 24004.3, which was at issue in *Boyer*.

22 More significantly, the case relied on by the Elections Office – *Woo v. Superior Court*
23 (2000) 83 Cal.App.4th 967 – undermines, rather supports, his position. In *Woo*, petitioner served
24 two full terms as an elected member of the Los Angeles City Council, and when he wished to
25 serve a third term, he was informed by the city clerk that "he was ineligible . . . based on
26 provision of the new city charter limiting elected city officials to only two terms in office." The
27 city clerk rejected his candidate application. (*Id.* at p. 972.) *Woo* then filed a petition for writ of
28 mandate with the superior court, which was denied. On appeal, the appellate court reversed,

1 construing the new charter language at issue literally as reading “that no person may serve more
2 than two terms as a member of the city council, without exception.” The appellate court found
3 that this facial reading “would prevent seven incumbent council members who served two terms
4 before July 1, 2000 [the date of the new charter] from completing their current terms in office.
5 . . . Thus, if the literal meaning were applied, seven of the 15 council districts immediately would
6 become unrepresented, requiring a special election of appointment Because we cannot
7 presume that the voters intended such absurd and unreasonable consequences, we must consider
8 extrinsic evidence to determine their true intent,” (at p. 976.) In this conclusion the appellate
9 court was guided by the principle that the right to hold public office is a fundamental right of
10 citizenship, and any “ambiguity in law affected that right must be resolved in favor of eligibility
11 to hold office.” Because the new charter did not indicate that there was a substantial change in
12 meaning from the prior language in the charter; it determined the voters indicated to retain the
13 former term limits in the prior charter, meaning they did not intend to make persons who had
14 served two terms of office before July 1993 ineligible to hold office. (*Id.* at p. 977; 970.)

15 Nothing in *Woo* suggests the city clerk erred in denying the candidacy declaration in the
16 first instance, even though the city clerk’s interpretation of the new charter language was
17 ultimately rejected by the appellate court. The principle that the appellate court applied – any
18 ambiguity in the law affect that right must be resolved in favor of eligibility to hold office –
19 guides *judicial interpretations* of an enactment following a court challenge. *Woo* is entirely
20 consistent with *Boyer* and progeny to the extent all indicate a county election official has no
21 power to refuse to enforce a candidate qualification statute in which it has a ministerial duty to
22 enforce.

23 This point is reinforced by *Choudhry v. Free* (1976) 17 Cal.3d 660, a case the Elections
24 Office cites in support of his concern that a landowner candidate requirement may be
25 unconstitutional. *Choudhry* sought to file a nominating petition for director of the Imperial
26 Irrigation District. The county clerk “refused to accept the petition on the ground that Choudhry
27 was not a freeholder” (i.e., a landowner), as mandated by statute. Choudhry then filed a writ of
28 mandate with the California Supreme Court, and that court issued an alternative writ in order to

1 examine the claim that the statutory landowner requirement under Water Code section 21110
2 was unconstitutional. While our high court ultimately found the provision was unconstitutional,
3 at no point did it criticize, challenge or condemn the county clerk for rejecting in the first
4 instance Choudhry's application for failing to comply with the statute. Simply put, it is the
5 Elections Office's obligation to follow the statutory scheme detailing the requirements for
6 candidacy, even if the Elections Office has doubts about its constitutionality; it is the candidates'
7 burden to challenge the statutory provision in court. The case law is clear on these points.

8 The Elections Office has requested that the court to qualify or explain the nature and
9 scope of his ministerial duty when investigating or determining whether candidates meet the
10 statutory requirements of Water Code section 75166.2. The Elections Office contends that it
11 does not have the "practical tools" to investigate a candidate's qualifications or adjudicate
12 disputes about a candidate's qualifications. And further, that it is "not required to conduct an
13 unlimited investigation to certify a candidate.

14 The Elections Office's reliance on *Keyes v. Bowen* (2010) 189 Cal.App.4th 647 is
15 misplaced. There, the court concluded that the California Secretary of State had no ministerial
16 duty to investigate and determine President's Obama's eligibility for the office of President.
17 According to the appellate court, the statutes at issue "do not impose a clear, present, or
18 ministerial duty on the Secretary State to determine whether presidential candidate meets the
19 eligibility criteria of the United States Constitution. . . . With respect to general elections,
20 [Elections Code] section 6901 directs that the Secretary of State *must* place on the ballot several
21 names of the several political parties' candidates." The court went on to note that the "truly
22 absurd result would be to require each state's election official to investigate and determine
23 whether the proffered candidate met eligibility criteria of the United States Constitution, given
24 each the power to override a party's selection of a presidential candidate. . . . Any investigation
25 of eligibility is best left to each party, which presumably will conduct the appropriate
26 background check or risk that its nominee's election will be derailed by an objection in Congress
27" (*Id.* at p. 660.)
28

1 The statutory qualification statutes at issue in this matter, as noted above, are
2 unambiguous about the necessary qualifications for position at issue. Further, cases are legion
3 in detailing the limited nature of a local official's ministerial duty even when the statute contains
4 no express authorization concerning the authority of local election officials to enforce its
5 provisions. (*Wilson v. County of Napa* (2017) 9 Cal.App.5th 178, 189 [the registrar has the
6 ministerial task of placing on the ballot measures submitted in compliance with the statutory
7 requirements; whether a petition complies is to be determined by the registrar based only on the
8 face of the petition presented; it would be inconsistent with the ministerial nature of the
9 registrar's responsibilities to hold that he is obligated to evaluate the length or significance of the
10 omitted materials in determining whether the complies with the full text]; *Lin v. City of*
11 *Pleasanton* (2009) 176 Cal.App.4th 408, 416-417; *Olin v. Alliance for A Better Downtown*
12 *Milbrae v. Wade* (2003) 108 Cal.App.4th 123, 132-133 [and cases cited therein].) A ministerial
13 duty requires the Elections Office to ensure a candidate meets the express statutory candidacy
14 requirements. In *Boyer*, for example, the county officer rejected the candidate's application
15 because "he had not submitted documentation establishing appellant's qualifications to run for
16 county sheriff, as required" under the relevant statutory provisions. (*Boyer, supra*, 33
17 Cal.App.5th at p. 53, italics added.) The *Boyer* court found this documentation was part of the
18 county officer's "ministerial duty" to verify. (*Id.* at p. 54.) *Keyes* is simply not implicated.

19 The Elections Office goes on to argue that its ministerial duty is satisfied when a
20 candidate lists his or her residential address, accompanied with a statement under penalty of
21 perjury that he or she otherwise satisfies the statutory candidacy requirements; and the Elections
22 Office thereafter verifies the residential address as listed in the declaration. This view overlooks
23 the import of the statutory scheme itself, which requires a candidate to be a registered voter and
24 own property in the district and division, per Water Code section 75166.2. The Elections Office
25 in fact fails to explain why verification of the address as listed should act as a verification of
26 these two mandated statutory requirements. And the Elections Office's position is undermined
27 by *Boyer*, which, as noted, suggests it was not improper for a county election officer to require
28

1 submission of documentation *by the candidate* as part of the officer's ministerial duty of
2 verification.

3 The Elections Office expresses concern that a greater ministerial duty requirement will
4 ultimately lead to an unlimited investigation, taxing limited resources in times of tight election
5 timeframes and deadlines. The problem, however, does not rest with verification *per se*, but with
6 the quality of information provided by the candidate in the first instance. Presently (based on
7 counsels' representations made at trial), all that is sought in a candidate's declaration is a
8 residential address, coupled with a declaration under penalty of perjury that the candidate
9 complies with all statutory requirements. Given this limited information submissions, it is
10 perhaps not surprising that on August 17, 2018, when the District presented documentation to
11 show Mr. Schultz and Ms. Finifrock did not actually meet the property ownership requirement,
12 the Elections Office was placed in a quandry. Any future problem could be easily
13 circumvented if in the first instance, on or with the candidate's declaration itself, the candidate is
14 required to list the address of the owned property, provide an Assessor's Parcel Number (APN)
15 number for this purpose, and/or require documentation to show compliance, which, if accurately
16 presented, would satisfy the Elections Office ministerial duty (as was true in *Boyer*). This has the
17 salutary benefit of acknowledging *Boyer*, with the added advantage of removing the threat of
18 prolonged or continuing investigations feared by the Elections Office. All things being equal, it
19 does not seem particularly burdensome, as a byproduct of the Elections Office's ministerial duty,
20 to require a candidate to provide more accurate and precise information in the candidate's
21 statement of declaration itself given the clear statutory candidacy requirements at issue; indeed,
22 such a requirement would go a long way (as the Elections Office set forth at trial) in ensuring
23 "the candidate certified that they met the requirements of the office."

24 The court nevertheless recognizes that all things are *not* equal, at least at this time. The
25 parties at trial were uncertain about the nature of the candidate's declaration, and whether it can
26 legally be modified. The Elections Office conceded it simply did not have an answer, and thus
27 was not prepared to address it at trial. Accordingly, an alternative was discussed and explored in
28 some detail. Water District's counsel stated that it "is pretty common for election officials to

1 create [a] kind of statement of what qualifications are to run for a particular office! . . . I know
2 the district provide such a notice when a vacancy occurred, specifically noting the land
3 ownership requirement.” The Elections Office’s counsel reiterated that the “county clerk
4 registrar of voters does have such a statement that it produces every year before an election, and
5 it does list specific code provisions I believe for each office.” Water District’s counsel then
6 conceded that for purposes of its declaratory relief action, it would be appropriate for [the
7 Elections Office] to provide such information to candidates who take out papers for that district,
8 whether it’s at the front desk where they have that for the particular officer or they include it in
9 their candidate manual and refer candidates to that. The Elections Office’s counsel agreed that
10 “county clerk registrar of voters wouldn’t be opposed to listing the water code provisions here
11 with respect to that office.” The court finds this alternative is appropriate under the
12 circumstances. The Elections Office is directed to list in the statement of candidate’s
13 qualification and the candidate’s guide the candidacy requirements contained in Water Code
14 section 75166.2 and Elections Code section 10514.

15 The court emphasizes what is *not* at issue in this declaratory relief action. Both parties
16 agree that neither is contesting the constitutionality or propriety of the November 6, 2018
17 election, and the court does not weigh in on that question in any way. Additionally, nothing in
18 this decision precludes any *candidate, any appropriate private party, the Attorney General, or*
19 *the District in the future* from utilizing either a writ of mandate (Code of Civ. Proc., § 1085)
20 before the election or statutory *quo warranto* procedure if applicable (Code Civ. Proc., § 803) (or
21 any other mechanism that is available) to challenge the statutory qualifications at issue in this
22 declaratory relief action. (See, e.g., *Boyer v. County of Ventura, supra*, 33 Cal.App.5th at pp. 53-
23 54 [addressing writ of mandate by candidate challenging conditions imposed before election];
24 *Nicolopoulos v. City of Lawndale* (2001) 91 Cal.App.4th 1221,1228, cited by *Rando v. Harris*
25 (2014) 228 Cal.App.4th 868.)

26 Further, the court does not address the constitutionality of the landowner requirement
27 contained in Water Code section 75166.2. The court acknowledges the tone and tenor of the
28 Attorney General Opinion in which he was asked to allow one John Lindon to file a *quo*

1 *warranto* action, challenging whether a candidate for the Helix Water District was required to be
2 a landowner as required by Water Code section 21100, applicable to *irrigation* districts. (85
3 Ops. Cal. Atty. Gen. 101 (2002).) The Attorney General allowed John Linden leave to sue in
4 *quo warranto*, noting that in *Choudhry v. Free, supra*, 17 Cal.3d 660, the court “ruled that that
5 applying section 21110’s requirement to a director of the Imperial Irrigation District, due to its
6 unique characteristics, violated the federal Constitution” and state Constitution (and specifically
7 equal protection as applied.) *Choudhry*, applying strict scrutiny analysis, found no compelling
8 state interest in distinguishing between similarly situated person (landowners and
9 nonlandowners), and thus unconstitutional. The Attorney General noted that after *Choudhry*,
10 the United States Supreme Court has upheld “landowner requirements that have a reasonable
11 relationship to a statutory objective,” citing *Bell v. James* (1981) 451 U.S. 355; because the issue
12 therefore presents “substantial” issues of fact and law, a sufficient public purpose for *quo*
13 *warranto* action existed.

14 California courts decide only justiciable controversies, and within this is intertwined the
15 criteria of ripeness and standing. (*Wilson & Wilson v. City Council of Redwood City* (2011) 191
16 Cal.App.4th 1559, 1573.) A controversy is unripe when a party seeks a judicial declaration on a
17 question of law though no actual dispute or controversy exists between them requiring the
18 declaration for the court’s determination. (3 Witkin, Cal. Procedure (5th ed. 2008, 2019 Supp.) §
19 21, p. 85.) There is no actual controversy about the constitutionality of Water Code section
20 75166.2 at this time – only a *potential* controversy. The point is reinforced because when a party
21 asserts a statute is unconstitutional, that party must show that he or she “personally suffered
22 some actual or threatened injury as result of the putatively illegal conduct” There must be a
23 real and vital controversy between the actual litigants, meaning the statute that is assailed is
24 applicable to him or her and that the party is injuriously affected thereby. (*County of San Diego*
25 *v. San Diego NORML* (2008) 165 Cal.App.4th 798, 814.) Again, there is no injury in fact; the
26 court is presented with a hypothetical or conjectural constitutional infirmity involving
27 nonexistent candidates. This is not enough to trigger judicial review. (*Cf. City of Palm Springs*
28 *v. Luna Crest, Inc.* (2016) 245 Cal.App.4th 879, 883.)

1 In summary, the court finds that declaratory relief is appropriate given the ongoing
2 controversy between the parties and the future likelihood that election issues will arise. The
3 Elections Office has a ministerial duty to ensure the enforcement of Water Code section 75166.2,
4 and Election Code section 10514; when the evidence unmistakably shows that a candidate
5 cannot meet the statutory candidacy qualification, the Elections Office shall reject the
6 candidate's declaration and not place the name on the ballot, leaving the courts to decide the
7 issue if the appropriate challenge is filed. To facilitate the Elections Office's ministerial duty,
8 the court recommends that the Elections Office to consider a more detailed declaration of
9 candidacy form and/or requirement that candidates attach documentation to the declaration in
10 support of any claim that he or she satisfies the statutory requirements, all in the first instance, a
11 position that aligns with the ministerial duty discussed in *Boyer v. County of Ventura* (2019) 33
12 Cal.App.5th 49. This would permit a streamlined efficient and inexpensive verification inquiry
13 and obviate the need for a prolonged investigation feared by the Elections Office. For our
14 immediate purposes (and this immediate case), the Elections Office is directed to supplement the
15 candidate's qualification statement and the candidate's guide with references to the statutory
16 requirements of Water Code section 75166.2 and Elections Code section 10514 (along with the
17 statutory reference itself), detailing the statutory candidacy requirements at issue as discussed
18 and agreed to by the parties at the August 14, 2019 trial.

19
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21 DATED: Sept. 20, 2019



22 Honorable Timothy A. Staffel
23 Judge of the Superior Court of California
24 County of Santa Barbara
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EXHIBIT "A"

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SANTA BARBARA
(COOK DIVISION)

SANTA YNEZ RIVER WATER
CONSERVATION DISTRICT
IMPROVEMENT DISTRICT No. 1, a public
entity,

Plaintiff,

vs.

JOE HOLLAND, an individual in his capacity
as Santa Barbara County Clerk-Recorder-
Assessor-Registrar of Voters; and DOES 1
through 10,

Defendants.

Case No: 18CV05437

**[PROPOSED] JUDGMENT ON SECOND
AMENDED COMPLAINT FOR
DECLARATORY RELIEF**

WHEREAS, the trial in the above-captioned matter was heard by the Court on August
14, 2019 and September 17, 2019;

WHEREAS, the Court entered a Statement of Decision on September 6, 2019 finding
declaratory relief appropriate and that Defendant Joe Holland, an individual in his official
capacity as the Santa Barbara County Clerk-Recorder-Assessor-Registrar of Voters
("Elections Office"), has a ministerial duty to ensure enforcement of Water Code section
75166.2 and Elections Code section 10514; and

COUNTY COUNSEL
County of Santa Barbara
105 East Anapamu Street
Santa Barbara, CA 93101
(805) 568-2950

1 WHEREAS, the parties submitted a post-trial Joint Submission and Request for
2 Clarification of the Statement of Decision and additional information (“Joint Submission”).

3 WHEREAS, after considering the Parties’ Joint Submission and arguments at the
4 September 17, 2019 hearing, the Court issued an Amended Statement of Decision, dated
5 _____, 2019 (“Amended Statement of Decision”).

6 NOW, THEREFORE, it is ORDERED, ADJUDGED, AND DECREED THAT:

7 1. Declaratory relief is appropriate given the ongoing controversy between the
8 parties and the future likelihood that election issues will arise.

9 2. Water Code section 75166.2 contains the specific qualification requirements
10 for a candidate to be elected or appointed to the office of trustee for the board of trustees of
11 Plaintiff. Water Code section 75166.2 specifies that a candidate for election or appointment
12 to the board of trustees of Plaintiff must be a registered voter and holder of title of land within
13 the district and of the division which the candidate seeks to represent.

14 3. The Elections Office shall follow the requirements of Water Code section
15 75166.2 and Elections Code section 10514 in certifying candidates for election or
16 appointment to Plaintiff’s offices of trustee, unless and until Water Code section 75166.2 is
17 repealed, determined invalid by a Court, or Plaintiff gives notice to the Elections Office that it
18 believes a different provision governs.

19 4. When the evidence clearly shows that a candidate cannot meet the statutory
20 candidacy qualifications for elective office of Plaintiff, the Elections Office shall reject the
21 candidate’s declaration and not place the candidate’s name on the ballot.

22 5. In accordance with paragraph 3 above, the Elections Office shall modify its
23 Declaration of Candidacy form for elective offices of Plaintiff to include a statement as
24 follows, or a similar reference to the requirements of Water Code section 75166.2, in the
25 candidate’s statement: “I am a registered voter and holder of title of land within the district
26 and of the division thereof for which I am a candidate.”

6. This Judgment shall be interpreted in a manner that is consistent with the Amended Statement of Decision, which is attached hereto and incorporated by this reference.

Dated: _____ Hon. Timothy J. Staffel

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COUNTY COUNSEL
County of Santa Barbara
105 East Anapamu Street
Santa Barbara, CA 93101
(805) 568-2950

FILED

SUPERIOR COURT of CALIFORNIA
COUNTY of SANTA BARBARA

09/20/2019

Darrel E. Parker, Executive Officer
BY Hernandez, J

Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF SANTA BARBARA

(COOK DIVISION)

SANTA YNEZ RIVER WATER
CONSERVATION DISTRICT
IMPROVEMENT DISTRICT No. 1, a public
entity,

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Defendants.

Case No: 18CV05437

~~PROPOSED~~ JUDGMENT ON SECOND
AMENDED COMPLAINT FOR
DECLARATORY RELIEF

WHEREAS, the trial in the above-captioned matter was heard by the Court on August 14, 2019 and September 17, 2019;

WHEREAS, the Court entered a Statement of Decision on September 6, 2019 finding declaratory relief appropriate and that Defendant Joe Holland, an individual in his official capacity as the Santa Barbara County Clerk-Recorder-Assessor-Registrar of Voters ("Elections Office"), has a ministerial duty to ensure enforcement of Water Code section 75166.2 and Elections Code section 10514; and

1 WHEREAS, the parties submitted a post-trial Joint Submission and Request for
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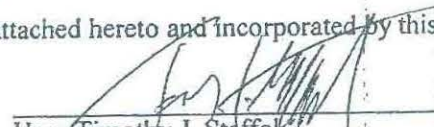
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6. This Judgment shall be interpreted in a manner that is consistent with the Amended Statement of Decision, which is attached hereto and incorporated by this reference.

Dated: 09/20/2019



Hon. Timothy J. Staffel

COUNTY COUNSEL
County of Santa Barbara
105 East Anapamu Street
Santa Barbara, CA 93101
(805) 568-2950

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PROOF OF SERVICE
(C.C.P. §§ 1013(a), 2015.5)
STATE OF CALIFORNIA, COUNTY OF SANTA BARBARA

I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years and not a party to the within entitled action; my business address is 105 East Anapamu Street, Santa Barbara, California.

On September 13, 2019, I served a true copy of the within **JOINT SUBMISSION AND REQUEST FOR CLARIFICATION OF THE PARTIES FOLLOWING THE COURT'S STATEMENT OF DECISION** on the Interested Parties in said action by:

by mail. I am familiar with the practice of the Office of Santa Barbara County Counsel for the collection and processing of correspondence for mailing with the United States Postal Service. In accordance with the ordinary course of business, the above mentioned documents would have been deposited with the United States Postal Service after having been deposited and processed for postage with the County of Santa Barbara Central Mail Room.

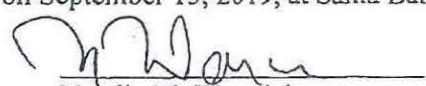
Via e-mail to:

cbell@bmhlaw.com
bhildreth@bmhlaw.com

(State) I declare, under penalty of perjury, that the above is true and correct.

(Federal) I declare that I am employed in the office of a member of the Bar of this Court at whose direction the service was made.

Executed on September 13, 2019, at Santa Barbara, California.


Natalie M. Warwick

<p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA BARBARA STREET ADDRESS: 312-C East Cook Street CITY AND ZIP CODE: Santa Maria CA. 93454 BRANCH NAME: Cook</p>	<p style="text-align: center;"><i>FOR COURT USE ONLY</i></p> <p style="text-align: center;">FILED</p> <p style="text-align: center;">SUPERIOR COURT of CALIFORNIA COUNTY of SANTA BARBARA</p> <p style="text-align: center;">09/20/2019</p> <p style="text-align: center;">Darrel E. Parker, Executive Officer BY <u>Hernandez, J</u> Deputy Clerk</p>
<p>CAPTION: Santa Ynez River Water Conservation District Improvement District No. 1 vs Joe Holland</p>	<p>CASE NUMBER: 18CV05437</p>
<p>CLERK'S CERTIFICATE OF ELECTRONIC SERVICE</p>	

I certify that I am not a party to this action and that I electronically served the following document(s):
Amended Statement of Decision and Judgment on Second Amended Complaint for Declaratory Relief on: **09/20/2019** to the electronic service addresses listed below.

E-mailed to:
Amber Holderness and Charles Bell

Darrel E. Parker, Executive Officer
By J Hernandez, Deputy

Board of Trustee Approved Positions

1996 – 1998

General Manager
Administrative Manager
Water Resources Specialist (vacant)
Secretary to the Board
Administrative Secretary I
Administrative Secretary II
Operation Superintendent (vacant)
Operations Tech Aide
Operation Technician I
Operation Technician II
Operation Technician III

1999

Administrative Assistant (vacant)
Administrative Assistant I
(former Administrative Secretary I)
Administrative Assistant II
(former Administrative Secretary II)
Administrative Accounting Assistant

Operator-In-Training
(former Operations Tech Aide)

2001

Hydrogeologist (vacant)
Water Resources Associate
Operations Supervisor (vacant)

2002

Senior Engineer (vacant)

2003

Water Resources Technician
Operations Foreman
Maintenance Foreman
Operations and Maintenance Supervisor (vacant)

2006

Office Manager/Bookkeeper (vacant)

2008

Maintenance Worker (vacant)

2010

Assistant General Manager (vacant)

2012

Engineer (vacant)

2014

Water Treatment Plant Operator (vacant)

2015

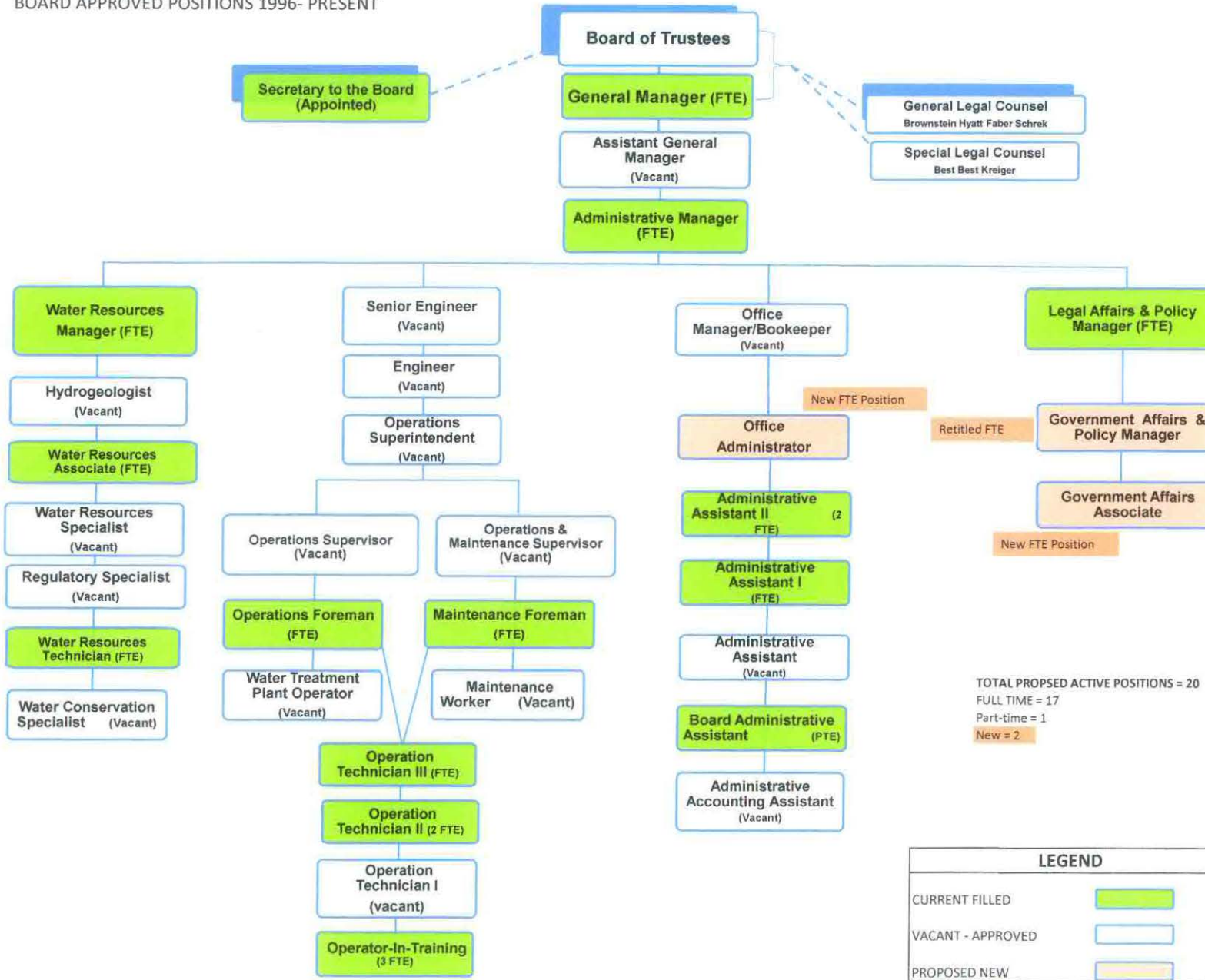
Regulatory Specialist (vacant)
Water Conservation Specialist (vacant)

2017

Legal Affairs & Policy Manager

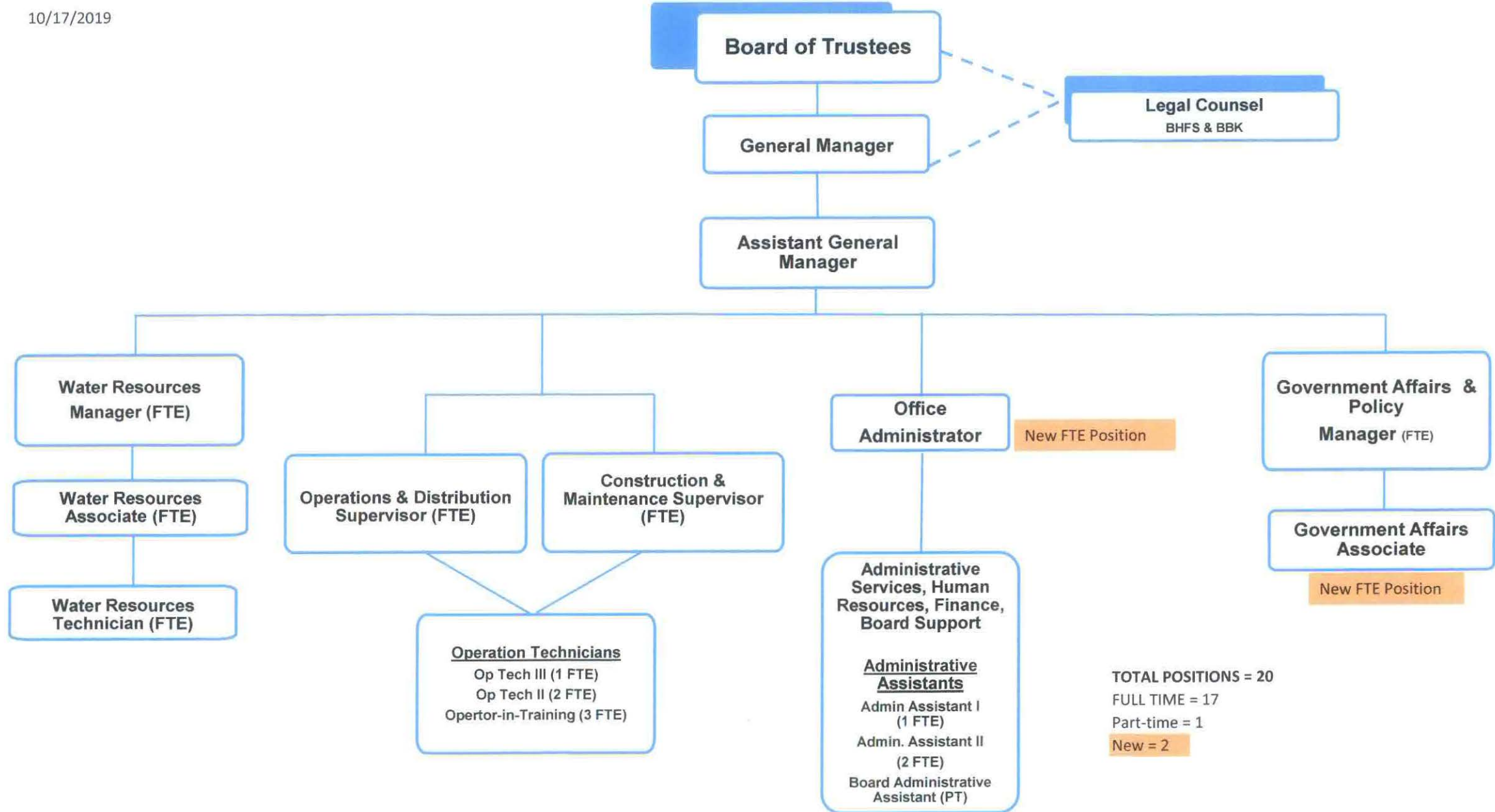
STAFF ORGANIZATION CHART
2019

BOARD APPROVED POSITIONS 1996- PRESENT



STAFF ORGANIZATION CHART 2019

10/17/2019



2019 Staff Reorganization Salaries and Benefits Costs

<u>Title</u>	<u>Annually - Step A</u>	<u>Annually - Step F1</u>
Office Administrator (New)	\$65,125.00	\$85,449.00
Government Affairs & Policy Manager (Retitled from Policy & Legal Affairs Mgr. with Salary Scale Adjustment)	\$126,288.24	\$165,701.16
Government Affairs & Policy Associate (New)	\$80,159.00	\$105,176.00
Assistant General Manager (Reclassified from Administrative Manager Position)	\$135,568.00	\$184,779.00
Sub-Total	\$407,140.24	\$541,105.16
<u>Position Adjustments</u>		
Administrative Manager (delete salary - reclassified to Assistant General Mgr. position above)	-\$107,365.00	-\$140,872.32
Policy & Legal Affairs Manager (delete salary - reclassified to Gov Affairs & Policy Manager position above)	-\$179,950.80	-\$236,111.04
Sub-Total	-\$287,315.80	-\$376,983.36
<u>Benefits (includes medical, dental, vision & CalPERS)</u>		
Office Administrator	\$29,826.15	\$31,253.91
Government Affairs & Policy Manager (Benefit savings when reclassified from Policy & Legal Affairs Mgr. position)	-\$3,890.54	-\$5,104.80
Government Affairs & Policy Associate	\$31,062.65	\$32,876.38
Assistant General Manager (Change in benefits from current Admin Mgr. benefits)	\$2,559.96 ⁽¹⁾	\$7,607.71 ⁽¹⁾
Sub-Total	\$56,998.26	\$59,025.49
GRAND TOTAL EXPENSE	\$176,822.70	\$223,147.29

⁽¹⁾Amounts based on the difference from current benefits for Admin Mgr. position reclassified to Asst GM

PROJECT
 MASTERPLAN for SANTA YNEZ RIVER
 WATER CONSERVATION DISTRICT # 1
 3622 SAGUNTO STREET
 SANTA YNEZ, CALIFORNIA 93460

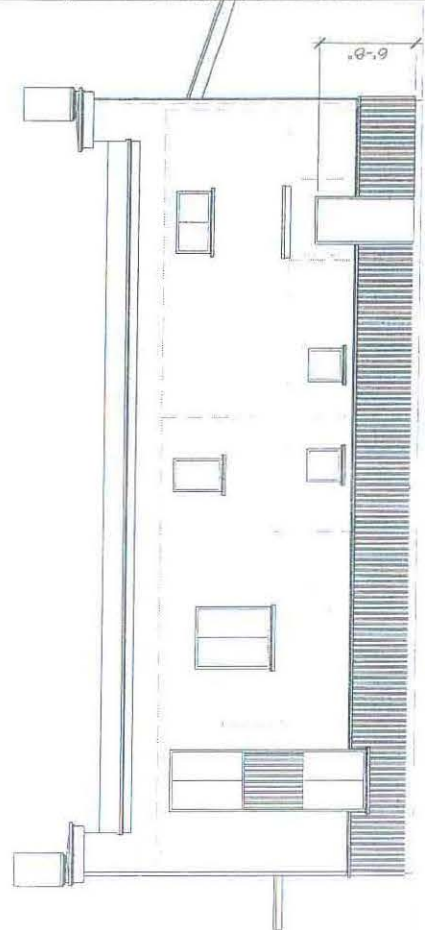
BUILDING ELEVATIONS

DRAWING

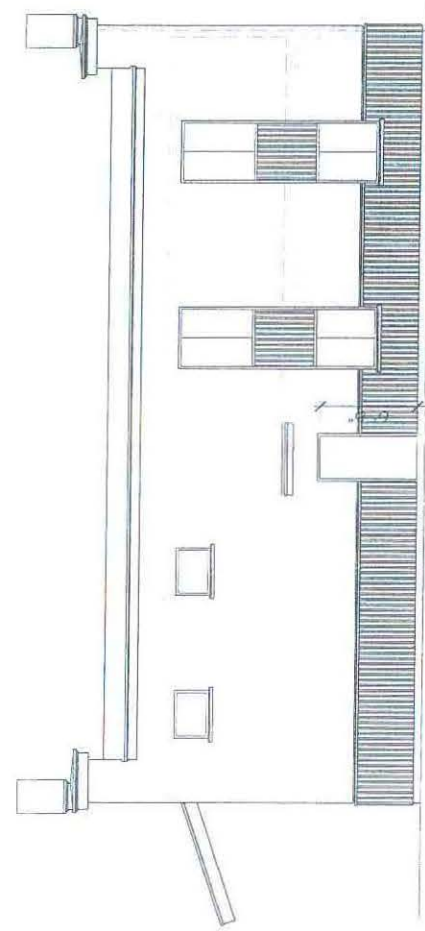
WILLIAM HOWARD WITTAUSCH ARCHITECT CIVIL ENGINEER
 371 Oak Avenue
 San Saba, California 93456
 Phone: 805.842.1118
 Fax: 805.842.1119
 www.wittech.com



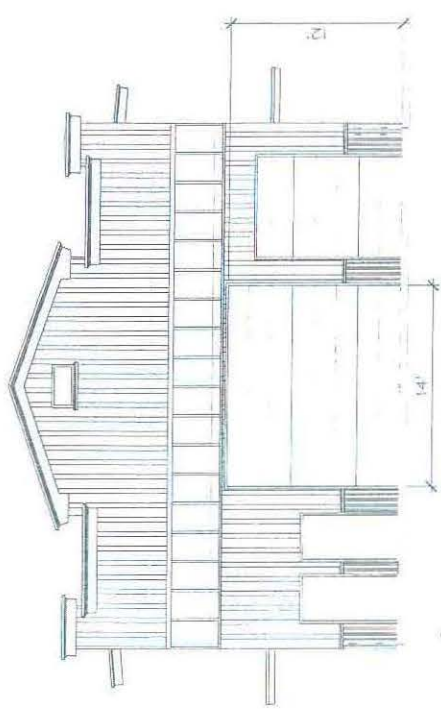
NO.	DATE	BY	CHKD.	REVISIONS



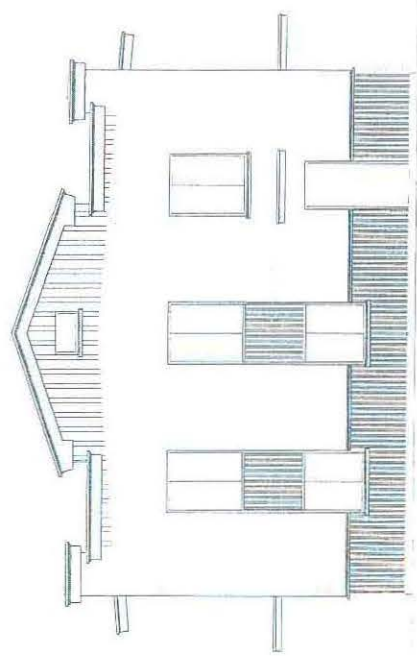
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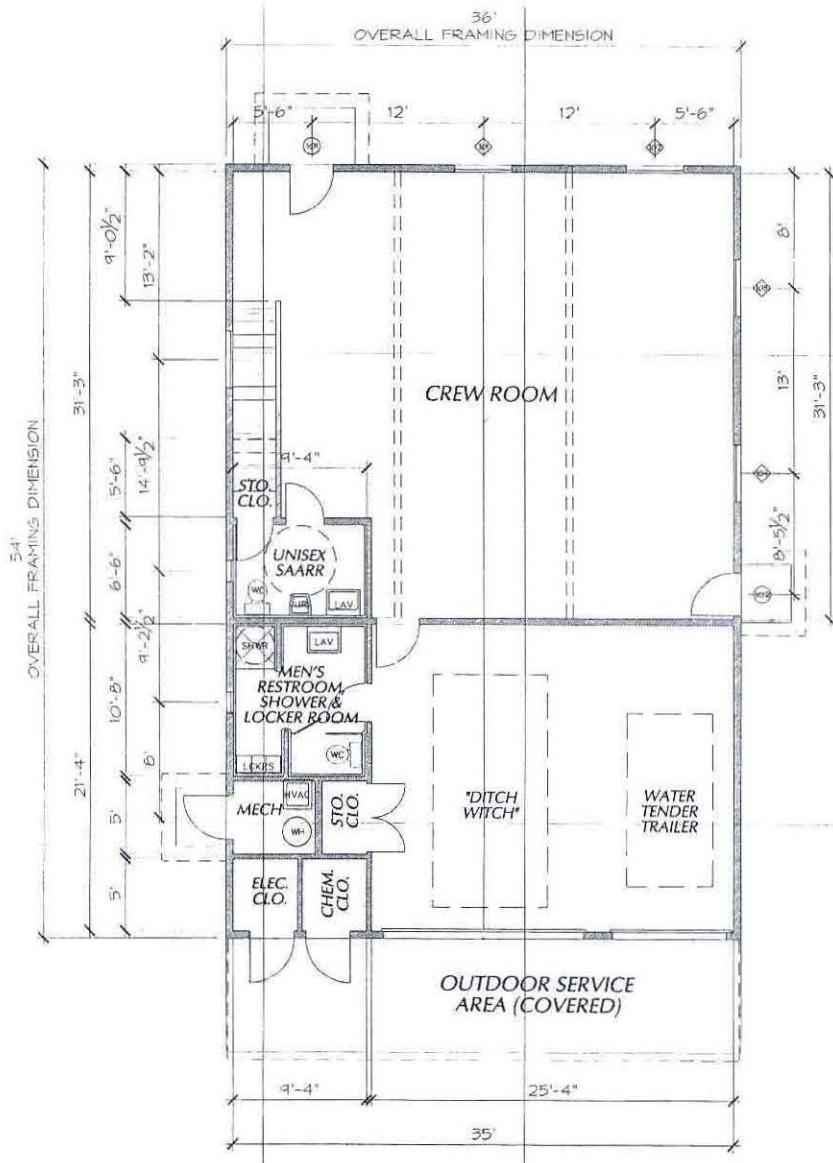
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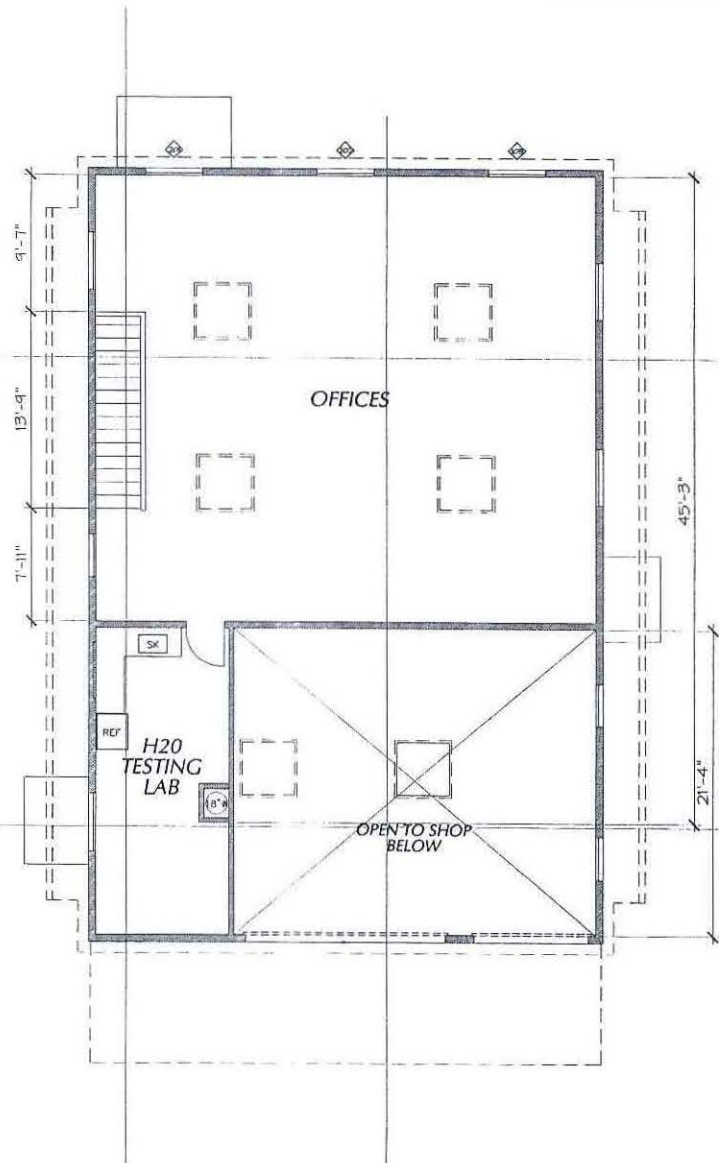
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SANARR



1st FLOOR PLAN
Scale: 1/8" = 1'-0"



2nd FLOOR PLAN
Scale: 1/4" = 1'-0"

WILLIAM HOWARD WITTAUSCH
ARCHITECT
CIVIL ENGINEER
501 Cafe Alena
Santa Barbara, California 93105
Post Office Box 217
Santa Barbara, California 93103
Telephone 805 298 8306
Cell 805 686 6872
email howard@whence.com



DRAWING

FLOOR PLANS

PROJECT

MASTERPLAN for SANTA YNEZ RIVER
WATER CONSERVATION DISTRICT # 1
3622 SAGUNTO STREET
SANTA YNEZ, CALIFORNIA 93460

DATE	REV. NO.	DESCRIPTION
5/31/19	1	PRELIMINARY

DATE 5/31/19
SCALE 1/4" = 1'-0"
DRAWN W.H.W.
JOB 19-02
SHEET
A-3
OF SHEETS



Fact Sheet

State Water Board Adopts Revised Order for Cachuma Project in Santa Barbara County

Order Will Improve Water Conditions for Survival of Migrating Fish

Overview

A Board-approved order issued Sept. 17, 2019 will increase the instream flow requirements (in the Bureau of Reclamation's water rights) downstream of Lake Cachuma in Santa Barbara County for the protection of fish, possibly reducing the water supply for communities that rely on the lake. The revised document addresses injury resulting from construction and operation of Bradbury Dam to senior water right holders and public trust resources such as the endangered species Southern California steelhead. Additionally, the Board granted Reclamation's request and changed the permits' purposes and places of use. The order is based on evidence and testimony presented at multiple hearings spanning more than a decade.

Historical Role of the State Water Boards

Built in 1956 by Reclamation and consisting of Bradbury Dam and Cachuma Reservoir, the project captures the seasonal floodwaters for use by communities in Santa Barbara County. It serves approximately 150,000 people between the Santa Ynez Mountains and the Pacific Coast, including those in Santa Barbara, Goleta, Montecito, Summerland and Carpinteria, and another 13,000 in Santa Ynez, Los Olivos, Ballard and Solvang.

Since the State Water Board issued the water right permits to Reclamation in 1958, the Board has retained the authority to determine the requirements necessary to protect senior water rights and public trust resources downstream of Bradbury Dam, including the endangered steelhead fishery.

What the Draft Order Requires

It amends the terms and conditions of Reclamation's water right permits for the project to protect the steelhead fishery and other public trust resources. The updated order also incorporates conditions of an existing settlement agreement that protects more senior downstream water right holders from injury due to changes in water quality or a reduction in the quantity of available water.



Revisions to the place and purposes of use were approved because they were not found to affect the project's operations or flows in the Santa Ynez River.

The State Water Board determined that the steelhead fishery in the Santa Ynez River is not in good condition, as required by the public trust doctrine and Fish and Game Code section 5937, and that additional measures are needed to increase the amount of suitable habitat available for spawning and rearing above the dam. The evidence shows that damming the Santa Ynez River, the most productive steelhead river in Southern California, reduced the annual steelhead run from a historic average of 20,000 adult fish to fewer than 100. Loss of instream rearing habitat for juvenile steelhead is a lead cause of the steelhead population's decline.

The Board's action further requires Reclamation to conduct studies of additional measures that could be implemented to keep the steelhead fishery in good condition at the individual, population and community level. Specifically, the order requires Reclamation to evaluate the following: Opportunities to provide passage of steelhead above and below Bradbury Dam; instream flow measures for the protection of steelhead and other native aquatic species in the Santa Ynez River; measures to reduce impacts of predation and other species on steelhead and other native aquatic species; and improvements or restoration of stream and streamside habitat.

Draft Order Requires the Following Steps

To improve conditions for the steelhead and minimize water supply impacts, the project's requirements to meet a certain amount of flow in the river ("instream flow") would depend on the hydrologic conditions that are present. In years when the runoff is determined to be below normal, dry, or critical, the criteria for instream flow requirements would be the same as the existing operating criteria in the National Marine Fisheries Service's 2000 Biological Opinion. In years when the runoff into the Cachuma Reservoir is determined to be wet or above normal, the instream flow conditions would be greater.

Reclamation will be required to study the impact of the increased flows on steelhead. The order reserves the State Water Board's continuing authority to flexibly manage the increased flows with input from the South Coast Area water users and state and federal fishery agencies.

Additional Resources

More information on the this Project can be found on the [State Water Board Cachuma webpage](#).

(This Fact Sheet was last updated on Sept. 16, 2019)



CENTRAL COAST WATER AUTHORITY

MEMORANDUM

August 1, 2019

TO: CCWA Board of Directors
CCWA Member Agencies
CCWA Project Participants

FROM: Ray A. Stokes 
Executive Director

SUBJECT: Participation Decision in the State of California Department of Water Resources
Delta Conveyance Project

SUMMARY

At the Direction of Governor Newsom, the Department of Water Resources (DWR) rescinded all approvals and withdrew all requested applications for permits and approvals for the project previously referred to as "Cal Waterfix" or, more commonly, the "twin-tunnels" project. Governor Newsom directed DWR to engage in planning efforts for a strategically designed single tunnel to deliver water through the Delta. As a result, on May 2, 2019, DWR informed the State Water Project Contractors (SWC) that it had rescinded its approvals and began withdrawing proposed permits for the Cal Waterfix project and planning for a smaller, single-tunnel project.

DWR is currently working on defining a proposed single tunnel project, which is being referred to as the "Delta Conveyance" project" (DC). As part of this, on July 24, 2019, DWR and the State Water Project (SWP) Contractors began negotiations to amend the long-term water supply contracts to define the cost allocation and water supply benefits from a DC facility. It is anticipated that at the conclusion of the contract amendment negotiations, anticipated to be completed by the end of August 2019, a set of "Agreements in Principle" (AIP) will be made available summarizing the various proposed amendments to the State Water Contract for consideration by each of the SWP Contractors. DWR is requesting that each SWP Contractor take an action to approve a proposed AIP and indicate whether each will be participating in the planning costs for DC. It is expected that DWR will set a date-certain for these votes to occur.

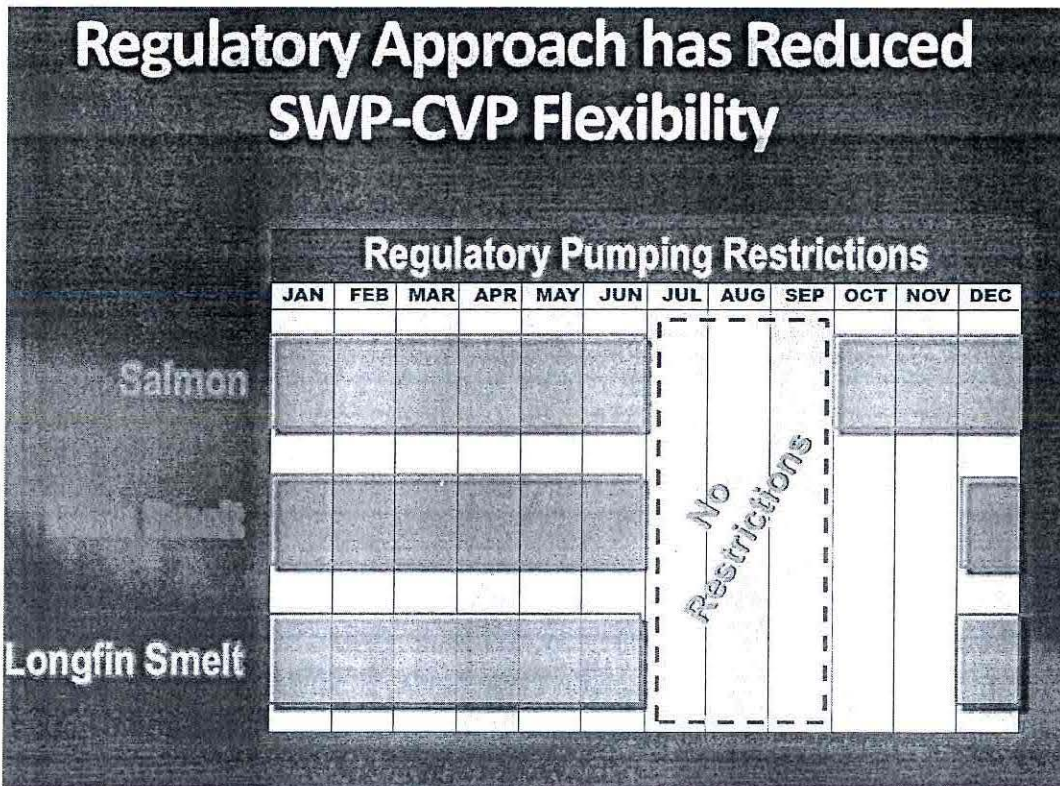
This report will summarize the following:

1. What problems is Delta Conveyance trying to address?
2. How did Cal Waterfix (formally withdrawn) propose to address those issues?
3. Benefits of Delta Conveyance
4. DWR/SWP Contract Amendment Negotiations
5. Single Tunnel Delta Conveyance Cost Estimates
6. Key Considerations
7. Likely DWR Requests of Individual SWP Contractors
8. CCWA Project Participant and Board Decisions

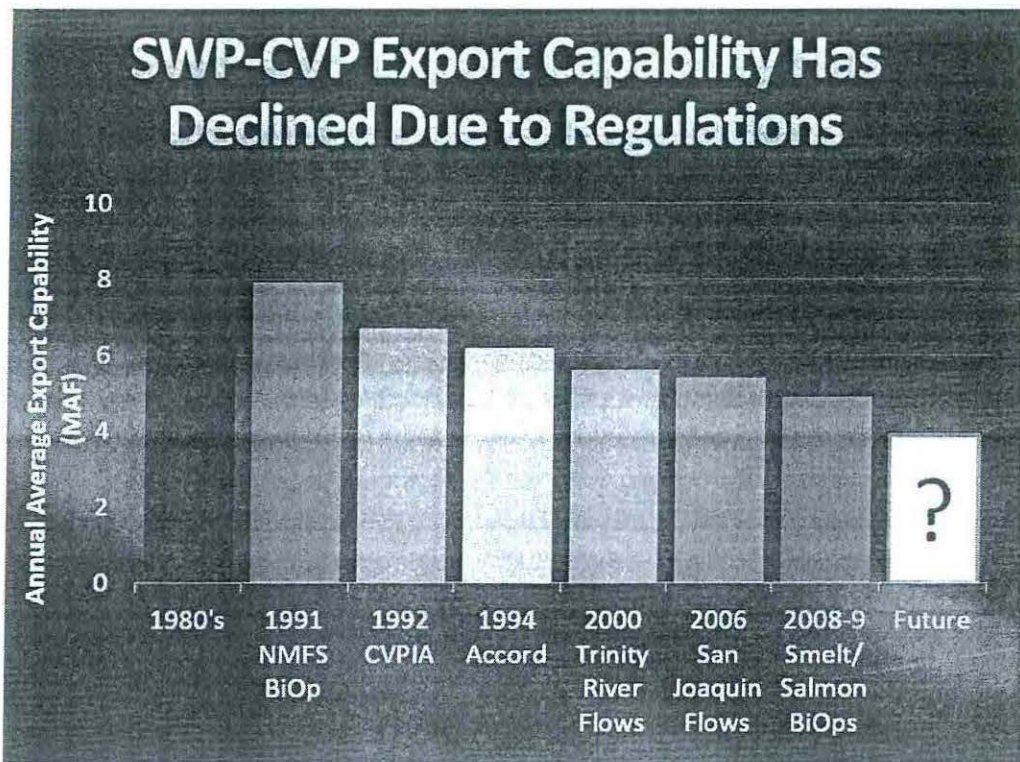
What Problems is Delta Conveyance Trying to Address?

There has been a continual decline in the amount of water than can be exported from the Sacramento-San Joaquin Delta over the years.

The various fish regulatory agencies have continued to impose pumping restrictions on both the state and federal water projects. In fact, the following graph shows that the only months in which there is not some sort of pumping restrictions for endangered fish species are in the months of July to September.



Due to the increased pumping restrictions, there has been a continual decline in the amount of exports through the Sacramento-San Joaquin Delta (the Delta) as shown below.



In addition to the increasingly restrictive regulatory environment, the current conveyance relies on a levee system that is vulnerable to earthquakes and other failures, does not easily respond to inner seasonal swings in hydrology projected under climate change, and is not situated to be resilient to sea level rise. DWR estimates that without some form of alternative conveyance to move water around or under the Delta (i.e., tunnel), that the long-term export capabilities of the SWP will be around 48%, down from the current 62%.

How Did Cal WaterFix Propose to address those problems?

Cal Waterfix proposed to construct two 40 foot diameter tunnels underneath the Delta, about 30 miles long, 150 feet underground with a total capacity of 9,000 cubic feet per second (cfs) of capacity. The project would have installed three new intakes on the Sacramento River, which would then flow into the underground tunnels to the existing State and Federal pumps located in the south Delta as shown below.

The use of a dual conveyance system would address some regulatory issues by installing state of the art fish screening techniques; would address levee failure risks by providing an ability to convey water to the export facilities even under conditions where movement through leveed channels could not occur; and would address climate change by providing a second point of diversion for more flexibility, located at a higher elevation than the existing pumps to ensure access to fresh water.



With the Governor's revised direction for Delta Conveyance, it is anticipated that there would be a single tunnel with less capacity, but still moving water under the Delta to the existing SWP pumps in the south Delta.

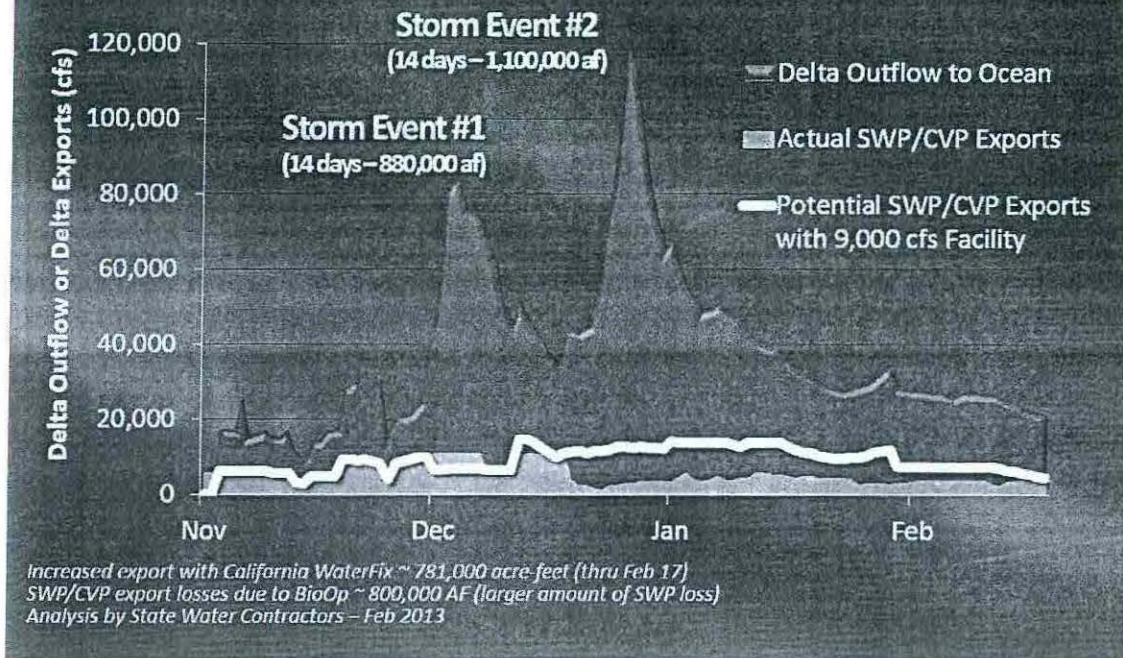
Benefits of Alternative Conveyance

Again, we do not yet know the scope of the project that DWR will propose, but the prior analysis done under Cal Waterfix provides some idea of the "type" of benefits moving SWP under the Delta could achieve.

Additional Exports During High Flow Events

One of the benefits of dual conveyance and moving a portion of the SWP water under the Delta as opposed to "through the Delta", is the ability to take "big gulps" of water when there is high flow due to storm activity. The following graph shows an analysis of two storm events in the winter of 2012-13, the amount of flow to the ocean, the actual amount of state and federal project exports and the amount that could have been exported, if Cal Waterfix had been in place, while still meeting the various regulatory protections currently in place. Again, we don't know the benefits a revised DC will provide, but this gives a general idea of the concept.

Analysis of Excess Storm Flow Winter 2012-2013



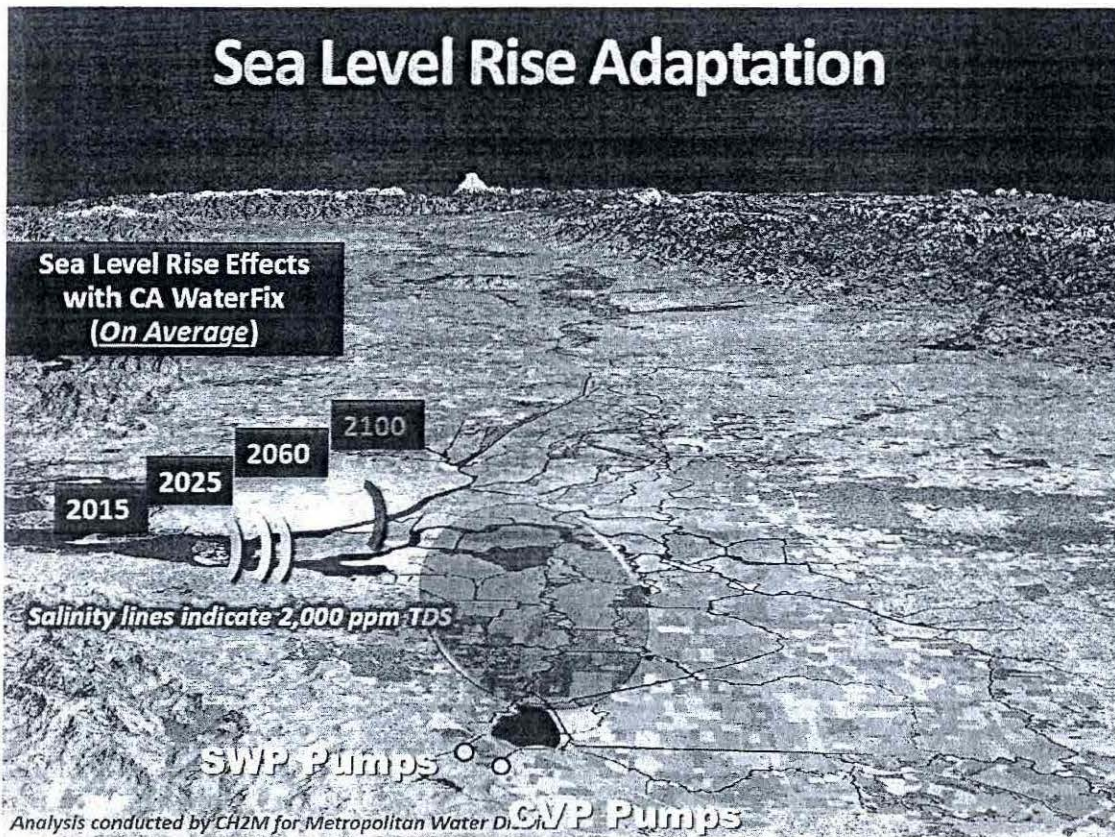
Climate Change Risk

Climate change will have a significant impact on the export capability of the SWP. That's due to:

- Sea level rise
- Reduced snowpack
- Changing precipitation patterns
- Changing runoff timing and intensity

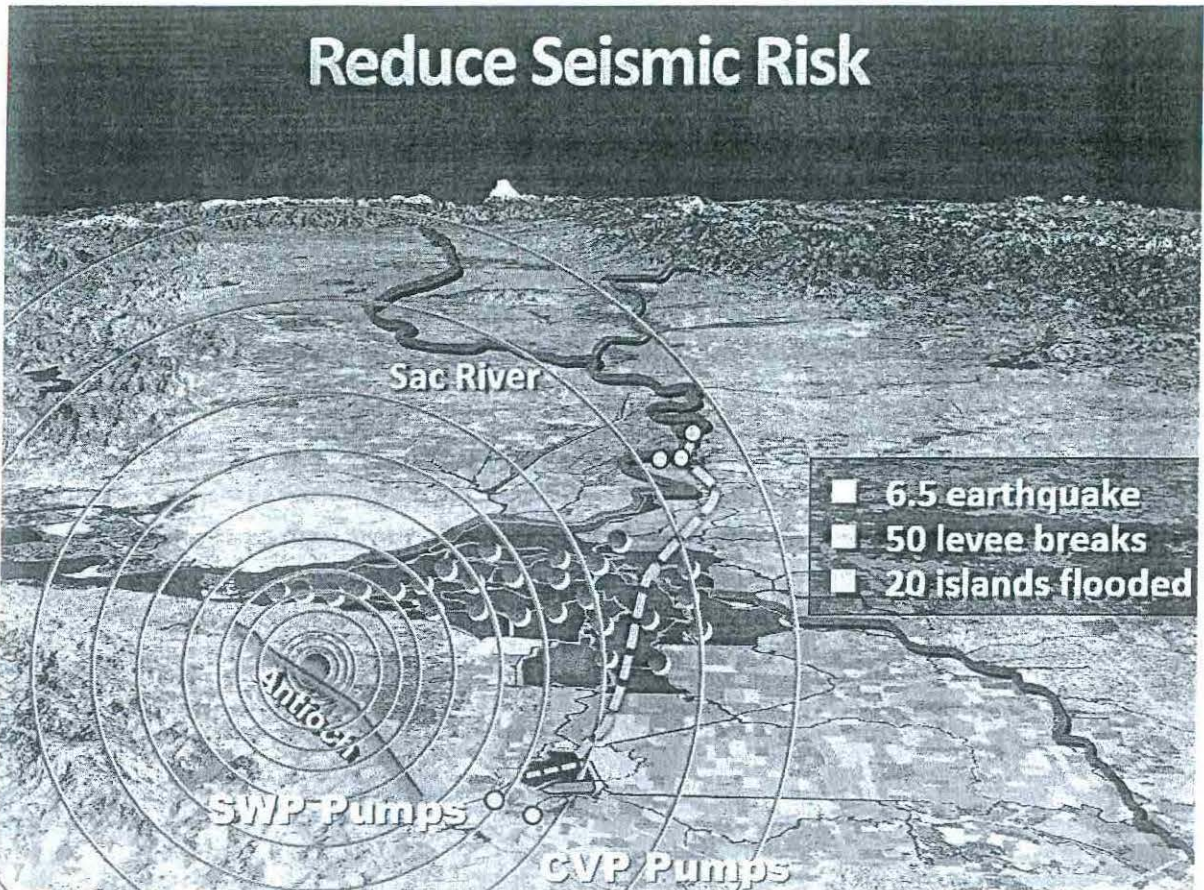
The following graphic shows estimates of additional salinity within the Delta due to sea level rise and highlighting the close proximity to the interior of the Delta and the pathway to the pumps.

Sea Level Rise Adaptation



Seismic Risk

Studies on the impact of seismic risk in the Delta show that there is a 63% probability of a 6.5 magnitude earthquake or greater by the year 2032. The impact of such an earthquake on the ability to deliver SWP through the Delta, is that there is a great potential for significant levee failures within the delta, resulting in the flooding of delta islands and large quantities of seawater rushing in to flood the breached levees and islands. By installing a tunnel underneath the Delta, the seismic risk to water supply is substantially reduced.



DWR/SWP Contract Amendment Negotiations

On July 24, 2019, DWR and the SWP Contractors entered into negotiations to amend the SWP Contract for a single-tunnel DC. While DWR has not yet provided information on the revised DC, it is anticipated that the basic framework for the cost allocation and accounting for benefits can be addressed in an AIP. The negotiations will inform a Notice of Preparation for DC project environmental review.

The following represents the SWP Contractor's initial offer to DWR on July 24, 2019 for the cost-allocation portion of the proposed amendments. Obviously, since this is a negotiation process, this is just a starting point and it may change. However, the following general principles represent the current basis for consideration to be used in deciding to participate in the planning of DC or not (a more detailed version of the SWP Contractor initial offer is attached to this report).

1. "Opt-In" approach: SWP Contractors can either opt-in to the project for their full contracted Table A amount, or opt-out completely.
2. DC is a SWP facility integrated with the existing SWP
3. DC water established as a new type of SWP water
4. DC water and rights to use available capacity allocated to participating SWP Contractors.
5. "Non-Participants" may use available capacity (if any) and pay all associated costs of DC
6. Five north of Delta public water agencies excluded from the DC

7. AIP from contract negotiations to include:
 - a. Description of Opt-In framework
 - b. Schedule of SWP Contractor proposed participation
 - c. Cost accounting principles
 - d. Water accounting/forecasting/administration
 - e. General Operations Principles:
 - i. Delivery priority
 - ii. Use of available capacity in DC
 - iii. Use of San Luis Reservoir
 - iv. Carriage water savings
 - f. Dispute resolution – a description of a dispute resolution process

Single Tunnel Delta Conveyance Cost Estimate

Since we do not yet know the project DWR will propose, we can only use cost estimates that were performed under Cal Waterfix. In the environmental analysis done for Cal Waterfix, a single tunnel, 6,000 cfs facility was analyzed. The following cost estimates are based on estimates provided in that analysis.

Key Principles

- Opt In/Out (full Table A or opt out completely)
- May be able to enter into an agreement for a portion of the project from those SWP Contractors opting in (i.e., another SWP Contractor may be willing to transfer a portion of their participating rights in the project if CCWA opts out of the DC)
- Costs follow the water

Key Financing Assumptions

- 40-year bond term at 6%
- Construction Costs (\$11 billion cost estimate, with 3% inflation per year over a ten-year construction period resulting in a total construction cost of \$14 billion)
- Estimated average cost per year when operational of about \$1 billion
- CCWA share of the project: 1.09% (Table A contract percentage of 45,486 AF)

Preliminary Cost Estimate

The following table shows that CCWA's share of a \$14 billion project would be about \$153 million. Based on an estimated \$1 billion cost per year (includes operations and maintenance costs and repayment of capital costs), CCWA's share would be about \$10.9 million per year, or \$240 per acre-foot (\$10.9 million divided by 45,486 AF).

PRELIMINARY COST ESTIMATES ONLY

Construction Cost Estimate	\$14 Billion
(CCWA share of construction Cost \$14 B times 1.09%)	\$ 152,600,000
Bonding Term	40 years
Interest Rate:	6%
Estimated Average Costs per year with O&M	\$1 Billion

CCWA Estimated Annual Costs	\$ 10,900,000
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CCWA Estimated Annual Costs per AF: (1)	\$ 240
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(1) \$10.9M divided by 45,486 AF Table A amount.

Incremental Water

Again, not knowing what additional water supply benefits will be provided (and based on the previous Cal Waterfix analysis), if one assumes the long-term reliability of the SWP will continue to decline to around 48% of current contract amounts, and that DC will provide on average, 67%, CCWA could realize an increase in water (incremental water) of 8,459 acre-feet per year above what is projected to occur in the future given the regulatory, climate change, and seismic risks described above. If you divided the \$10.9 million by the additional water supply of 8,459 AF, the additional cost for the incremental water is \$1,289/AF.

Cost of Additional Reliability from Participating in the Project

Annual additional Reliability from participating in the conveyance project (acre-feet)	8,459
Est. Annual Cost to CCWA:	\$ 10,900,000

Annual Cost Per Acre-Foot of Additional Reliability	\$ 1,289
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Additional Planning Costs

The Delta Conveyance Design and Construction Authority (DCA) is the agency that would design and construct the DC facilities. The DCA will not begin construction until a DC project is defined and has secured necessary permits, but can begin planning and design work that can advance design to better inform the environmental analysis, including defining appropriate mitigation. The DCA has stated it needs an additional \$350 million in planning costs to continue the design of the project. The additional funds will be paid by those SWP Contractors that opt-in to the project and a separate funding agreement will be executed with DWR so that the funds can be collected on the annual Statement of Charges.

If CCWA were to opt-in to the DC, based on the Cal Waterfix analysis, CCWA's share of the \$350 million would be approximately \$3.8 million.

Summary of Estimated Costs

The following table shows an estimate of the cost to CCWA by project participant using the criteria listed above.

- Column 1: Shows CCWA's estimated share of \$14 billion in construction costs
- Column 2: Shows each CCWA project participant's share of the additional \$350 million in planning costs, should CCWA opt-in to the project.
- Column 3: Shows the estimate by project participant of the annual cost of participating in DC. Based on \$1 billion per year on average to repay the capital costs and annual operations and maintenance costs.
- Column 4: Estimated annual costs (column 3) divided by Table A amount, including drought buffer

Estimated Cost of Delta Conveyance Project

Project Participant	Table A		(1)	(2)	(3)	(4)
	Including Drought Buffer	Percentage	Estimated Total Capital Cost	Additional Planning Costs (\$350M)	Est. Annual Costs of DCP w/O&M	Est. Annual Costs of DCP (\$/AF)
Guadalupe	605	1.33%	\$ 2,029,701	50,743	\$ 144,979	\$ 240
Santa Maria	17,820	39.18%	59,783,934	1,494,598	4,270,281	240
Golden State Water Co.	550	1.21%	1,845,183	46,130	131,799	240
VAFB	6,050	13.30%	20,297,014	507,425	1,449,787	240
Buellton	636	1.40%	2,133,703	53,343	152,407	240
Santa Ynez (Solvang)	1,500	3.30%	5,032,318	125,808	359,451	240
Santa Ynez	700	1.54%	2,348,415	58,710	167,744	240
Goleta	7,450	16.38%	24,993,844	624,846	1,785,275	240
Morehart	220	0.48%	738,073	18,452	52,720	240
La Cumbre	1,100	2.42%	3,690,366	92,259	263,598	240
Raytheon	55	0.12%	184,518	4,613	13,180	240
Santa Barbara	3,300	7.25%	11,071,099	276,777	790,793	240
Montecito	3,300	7.25%	11,071,099	276,777	790,793	240
Carpinteria	2,200	4.84%	7,380,733	184,518	527,195	240
Subtotal	45,486	100.00%	\$ 152,600,000	\$ 3,815,000	\$ 10,900,000	\$ 240

KEY CONSIDERATIONS

Participation Risk

As stated earlier, CCWA could opt out of DC right now and then determine if any individual CCWA project participants wish to participate in DC and try to enter into a separate transfer agreement with another participating SWP Contractor. However, there are risks to this approach:

- It is anticipated that if an individual SWP Contractor does not approve the AIP shortly after the AIP is developed and agree to provide planning funds, the project that DWR defines and is analyzed will not include participation by such Contractor and they will be assumed to be out of the project

- DWR may size the project for only those SWP Contractors opting in
- Other SWP contractors may not have excess to transfer to CCWA
- Might be a premium to get in later
- If we don't participate now, the primary mechanism to participate later would be through transfer agreements with a participating contractor.
- Participating now (approving an AIP and approving planning funds) only "reserves" our participation until we can review and analyze the actual project DWR will analyze and propose (i.e., the FINAL decision will occur when DWR presents the proposed contract amendments to the SWP Contractors AFTER the full environmental analysis).

Seismic Risk

If CCWA does not participate in DC and the Delta is not available to convey SWP water, we may not be able to receive SWP water for an extended period of time.

Reliability Risk

Is 48% long-term reliability for those not participating in the DC realistic? If it is, can individual CCWA project participants live with a continued decline in the long-term reliability of the SWP?

DWR Requests of Individual SWP Contractors

We anticipate DWR requesting each SWP Contractor to do the following:

1. At the conclusion of the contract amendment negotiations, take an action on the Agreements in Principle (AIP) indicating whether they approve the AIP and if they are electing to participate in DC.
2. If the SWP Contractor is electing to participate in DC, sign a funding agreement for their allocated share of the additional \$350 million in planning costs.

CCWA Project Participant and Board Decisions

1. CCWA will share with all CCWA project participants the AIP and any other pertinent information developed over the course of the negotiation as it is developed.
2. CCWA is asking each CCWA project participant to consider their position on participating in DC. This includes those project participants that are not represented on the CCWA Board of Directors, as shown below:
 - La Cumbre Mutual Water Company
 - Vandenberg Air Force Base
 - Golden State Water Company
 - Morehart Land Company
 - Raytheon Systems, Inc.

For the project participants listed above, please communicate your participation interest to Ray Stokes before September 26, 2019 at ras@ccwa.com

For CCWA member agencies represented on the Board of Directors, your participation decisions will be made at the Board meeting.

3. The CCWA Board of Directors will vote to consider CCWA participation in DC at its meeting on September 26, 2019 (note: This date might get pushed to the October 24, 2019 meeting if the SWP contract amendment negotiations extend beyond August 2019).
4. Following the vote by the CCWA Board of Directors, CCWA will communicate its decision to the Santa Barbara County Flood Control and Water Conservation District (SB County), as the contracting agency with DWR.

If you have any questions regarding this information, please contact Ray Stokes at (805) 697-5214 or ras@ccwa.com

RAS

Attachment



September 17, 2019

Subject: Recommendation on the Delta Conveyance Project

Addressees (via Email):

Chris Dahlstrom, General Manager, SYRWCD, ID-1
Joan Hartmann, Third District Supervisor, Santa Barbara County
Rose Hess, Buellton Public Works Director
Matt van der Linden, Solvang Public Works Director
Ray Stokes, Executive Director, Central Coast Water Authority

As you may know, the purpose of WE Watch is to work together to sustain and improve the environment of the Santa Ynez Valley, mainly by educating our members and the community about environmental issues affecting the quality of life in our Valley. Since water issues are such an important part of the Valley environment, we formed a Water Issues Group over three years ago.

As a part of that group's work, we examined the Delta Conveyance Project (DCP) which has recently been formed by the State, subsequent to Governor Newsom's cancellation of the twin tunnel Water Fix Project. Although there is not yet a Project Description for the new single tunnel DCP, based on plans and information from the previous Water Fix, we reached the conclusion that the DCP is not a project Santa Ynez Valley agencies and Santa Barbara County should support. **We recommend that your agency "Opt-Out" of participation in the project.** The reasons that we recommend this action are similar to some of the reasons the Governor cancelled the Water Fix Project. Those reasons include:

1. The high costs of the DCP – perhaps \$14 Billion, not including the costs of new supporting surface storage.
 - The up-front share of costs to the Central Coast Water Authority is estimated to be in the \$152 million range, which will be a direct pass through set of costs to Santa Barbara County rate payers. To a city like Solvang it will be in the \$6 million range; for Buellton, \$3 million; and for ID#1, \$11 million (which includes Solvang's share). More precise costs cannot be determined since, as previously noted, there is not yet an official Project Description for the DCP. And as usual for a project of this size, we can expect those cost estimates to rise.
 - Additionally, there are numerous lesser cost alternatives that are currently available for water quality improvements, for infrastructure improvements to mitigate climate change impacts and the threat of earthquakes, for the increased use of ground water

- storage, and for a portfolio of regional water conservation, sustainable desalination, recycling, and water demand reduction programs.
2. The questionable improvements in water reliability.
 - As we have seen so clearly during the past decades, the reliability of DWR's State Water Project allocations is inherently variable and unpredictable from year to year, mainly due to California's annual variations in rainfall.
 - Furthermore, in order to achieve DWR's highly questionable estimates of improved water reliability from the DCP, significant increases in surface storage would be required. The likelihood of major new surface storage in the foreseeable future is doubtful and the costs make it impractical, to say nothing about the adverse environmental impacts of further surface storage.
 3. The continuation of adverse environmental impacts in the Delta.
 - The desired DCP increase in exports will continue to aggravate and undoubtedly worsen endangered species and habitat conditions. Taking more water out of the Delta cannot possibly help fishery and habitat conditions.
 - New tunnel intakes at the north Delta will deprive the Delta of high quality Sacramento River mixing water that currently improves Delta water quality. It will also allow sea level rise to bring additional saline water further into the Delta. Conversely, increasing flows through the Delta and into San Francisco Bay rather than through a tunnel will diminish salt water intrusion and improve Delta water quality.
 - The loss of significant fresh water flows through the Delta will degrade the current healthy Delta farming and recreational economies. The Delta environment should not be sacrificed in order to satisfy Southern California interests.
 4. Our recommendation is partly based on the past unreliability of Department of Water Resources' estimates and practices related to costs, water reliability, and schedule accomplishments.

We hope you will follow our recommendation and we would be happy to have further discussions if you feel it necessary.



Nick Di Croce
WEW Water Issues Group
Ndicroce34@gmail.com

Copies (via Email):

Jeff Clay, Board Chair, SYRWCD, ID-1

Tom Fayram, Director, Water Resources Division, Santa Barbara County

Eric Friedman, Board Chair, Central Coast Water Authority

Holly Sierra, Mayor, City of Buellton

Ryan Toussaint, Mayor, City of Solvang

Monthly Briefing

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

Farmer Lobbyists Advocate for Western Irrigated Ag in D.C.

A group of farmers, ranchers and water managers from five Western states made the rounds on Capitol Hill and met with key Trump Administration officials earlier this month as part of the 2019 Family Farm Alliance Farmer Lobbyist trip.

"The Alliance annual farmer lobbyist trip is one of the cornerstone programs of our organization," said Alliance President Patrick O'Toole, a cattle and sheep farmer from Wyoming. "It was created to allow farmers, ranchers and water managers to interact directly with elected officials and other policy in Washington, D.C."

This year's farmer lobbyist contingent included representatives from Arizona, Nevada, Oregon, Washington and Wyoming. In addition to meeting with Congressional Members from those

five states, the group also met with senior officials from the Department of Interior,

The Western contingent visited twenty offices in the course of 2-1/2 days.



The 2019 Alliance farmer lobbyists gather before the west entrance of the U.S. Supreme Court. From left to right are Urban Eberhart (WA), Chris Udall (AZ), Scott Revell (WA), Pat O'Toole (WY), Dan Keppen (OR), Rusty Jardine (NV), Marc Thalacker (OR), April Snell (OR) and David Stix (NV). Photo courtesy of Mark Limbaugh.

Department of Agriculture, Environmental Protection Agency, and staffers from key Congressional water committees.

Congressional Meetings

Meetings on Capitol Hill primarily focused on several water infrastructure bills that have been introduced in the House and Senate, as well as Endangered Species Act (ESA) issues. Staff from the Senate Energy and Natural Resources Committee, Senate Committee on the Environment and Public Works, and House Water, Oceans and Wildlife Subcommittee met with the Alliance contingent on those matters. Farmer Lobbyists were also able to meet directly with Members of Congress from their respective states, including Senator John Barrasso (R-WYOMING), Senator Jeff Merkley (D-OREGON), Senator Martha McSally (R-ARIZONA), Rep. Mark Amodei (R-NEVADA), Rep. Dan Newhouse (R-WASHINGTON), and Rep. Kim Schrier (D-WASHINGTON).

Senator McSally was especially upbeat as her S. 2044 – *The Water Supply Infrastructure Rehabilitation and Utilization Act* - was successfully marked up and passed by the Senate Energy and Natural Resources Committee. Wade Noble, Coordinator for the Yuma County Agriculture Water Coalition (ARIZONA), last summer

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A Big "Thank You" to our New and Supporting Members!	8

2019 Farmer Lobbyists (Continued from Page 1)

testified on behalf of the Alliance in support of that bill. S. 2044 gives local operators of federally owned facilities the tools they need to maintain and improve aging water infrastructure in a timely manner.

Meetings were also held with staffers from the offices of Senator Maria Cantwell (D-WASHINGTON), Senator Patty Murray (D-WASHINGTON) and Senator Ron Wyden (D-OREGON).

Implementation of the farm bill passed last December was also a key topic of discussion raised in meetings with senior Department of Agriculture officials and staffers from the House Agriculture Committee. Insufficient staffing issues are hindering full implementation of some Farm Bill conservation programs. However, the Natural Resources Conservation Service will soon release interim final rules, followed by final rules, for all Farm Bill Conservation title programs.

“We learned from NRCS that draft implementation rules associated with several farm bill conservation programs are close to being wrapped up, and should be available for public review and comment in the next month,” said Alliance Executive Director Dan Keppen.

Forest health and measures used to speed up active forest management in the West were also discussed in the meetings with USDA officials.

Meeting with Environmental Protection Agency

The group had a very productive meeting with a large group of Environmental Protection Agency (EPA) leaders from the Office of Water to discuss the encouraging progress made on the Trump Administration’s 2-step process to rescind and replace the 2015 Clean Water Rule. The draft proposed replacement rule has been favorably received by the Alliance and many of its members.

Much of the dialogue with EPA centered around water quality trading concepts that EPA is developing. The EPA officials explained the agency strongly supports market-based mechanisms to accomplish its mission to protect human health and the environment. Market-based mechanisms include water quality trading, an approach that promotes water quality improvements at lower cost than more traditional regulatory approaches. EPA has long interpreted the Clean Water Act to allow pollutant reductions from water quality trading and offsets to achieve compliance with CWA regulatory requirements. Neither the CWA nor the EPA’s implementing regulations explicitly address water quality trading. In the absence of explicit statutory language or regulations, the EPA has provided guidance for permitting authorities and stakeholders to consider when developing market-based programs, including water quality trading.

EPA is requesting comment on policy approaches for addressing “baseline” issues in watersheds with EPA-approved Total Maximum Daily Loads where policy makers would like to pursue water quality trading as a regulatory option for National Pollutant Discharge Elimination System (NPDES) permit compliance.

“These policy approaches may also be of interest to stakeholders pursuing market-based water quality improvement programs outside of the NPDES permit program,” said Mark Limbaugh, the Alliance’s representative in Washington, D.C.

“We’ll be encouraging our members to share their ideas that we can incorporate into a comment letter for EPA to consider,” added Mr. Keppen.

Comments must be received on or before November 18, 2019. A combined in-person and online listening session will be held at EPA Headquarters in Washington, DC on October 21, 2019, from 12 p.m. to 5 p.m. EDT.

Meeting with DOI and Reclamation Senior Officials

The 2019 farmer lobbyists met with Interior Assistant Secretary for Water and Science Tim Petty and his assistant, Aubrey Bettencourt; Deputy Interior Secretary Kiel Weaver; and Associate Deputy Commissioner of the Bureau of Reclamation Mat Maucieri to discuss progress made this year on facilitating title transfers and addressing concerns with transferred works.

Reclamation is continuing stakeholder outreach on a draft Directive and Standard on Substantial Changes on Transferred Works (CMP 10-05) and is inviting additional feedback from partners and stakeholders, including the Alliance. They have scheduled a conference call on Friday, October 4, 2019, from 9:00 a.m. to 10:00 a.m. MDT, where Reclamation leadership and policy personnel will provide an update on proposed revisions to the draft D&S first circulated in 2018 and revised this year. Those changes are based on previous stakeholder feedback to streamline internal requirements to better focus on Reclamation’s stewardship commitments and stakeholder partnerships. The conference call will include a briefing on the proposed draft, description of a plan to re-open the comment period for an additional 30 days, time to answer questions, and opportunity for participants to provide feedback.

“The leadership of Interior and Reclamation in this Administration have been incredibly responsive to our concerns on an earlier draft version of the D&S, as well as other important issues raised by Western irrigators,” said Mr. Keppen.

ESA Developments in Washington, D.C. and Beyond

The group also attended the September 24 roll out of the Congressional Western Caucus of its Endangered Species Act (ESA) modernization legislative package, a press event that was staged in the U.S. Senate Visitors Center Room. A similar package introduced last Congress received the endorsement of 170+ organizations throughout the country. Twelve Western Caucus Members – including Caucus Chairman Paul Gosar (R-ARIZONA) - Karen Budd-Falen from

Continued on Page 3

2019 Farmer Lobbyists (Continued from Page 2)

the Department of the Interior and industry stakeholders discussed the ESA generally and recent ESA regulations implemented by the Department of the Interior.

Mr. O'Toole, Alliance Executive Director Dan Keppen, Urban Eberhart, general manager of the Kittitas Reclamation District (WASHINGTON) and Arizona Agri-Business and Water Council executive director Chris Udall also provided brief statements at the event. Each of the speakers shared personal stories and examples that illustrated the need to modernize the ESA. Mr. Eberhart, a member of the Family Farm Alliance Advisory Committee, discussed his involvement with the Yakima Integrated Plan.

"The Integrated Plan leverages federal, state, and local partnerships and funding to accomplish what one single stakeholder could not," said Mr. Eberhart. "While these collaborations may be rare, especially in areas where the ESA has been used to limit or stop irrigation of farms and ranches, we have seen success. I believe that any improvements to the ESA can enable and promote partnerships like the Yakima Basin Integrated Plan in implementing ESA protections and recover endangered fisheries while protecting our agricultural heritage and economy."

Another Alliance Advisory Committee Member, Mr. Udall, discussed his family's experience in east-central Arizona, ranching on a cow-calf and yearling operation. The ranch was in the Udall family for decades, since the late 1800s. The Udall family ended up selling its federal forest permit and state trust lease in 2006 because of the Mexican Gray Wolf reintroduction and fear of lawsuits by environmental interests.

"In this instance, it was not science that prevailed nor the best ocular assessment of the range by the rancher or range conservationist," said Mr. Udall. "Had science prevailed, we would have continued with the original carrying capacity of livestock. Fear of litigation prevailed."

Mr. Udall believes the regulations written to implement the law should follow the intent of the law and should be

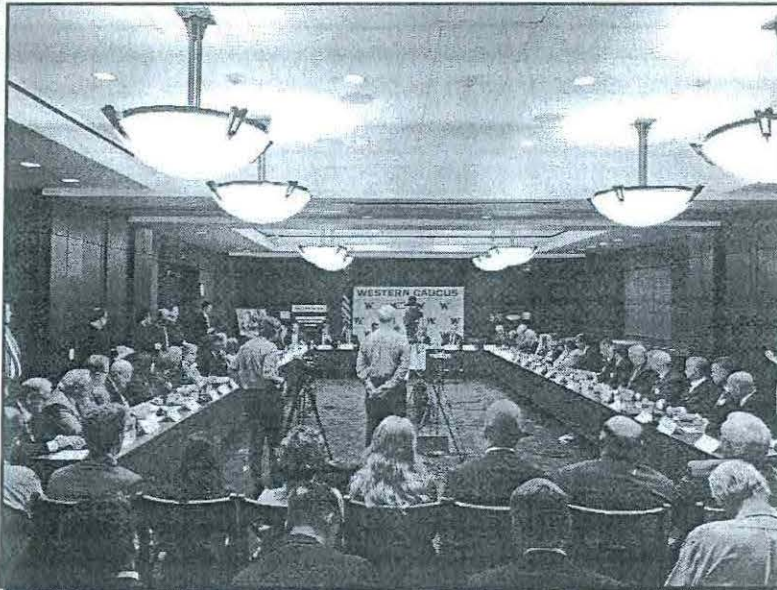
subject to reauthorization, amending or repeal like other federal laws.

"It's time to bring the ESA into the 21st century," he said.

At the same time the Western Caucus was hosting its event, Democrats on the House Committee on Natural Resources, Subcommittee on Water, Oceans and Wildlife (WOW) conducted a hearing on several bills, including legislation (H.R. 4348) that would repeal three Trump Admin-

istration final rule changes to the ESA. Bill sponsors and several litigious environmental groups claim the Trump rules would fundamentally change the way the federal government protects threatened and endangered species.

"In the face of an extinction crisis, the Trump administration is shredding protections and shoving vulnerable wildlife closer to the cliff," said Marjorie Mulhall, a legislative director for Earthjustice. "Today, leaders in the House of Representatives have introduced a bill that rejects those destructive actions and protects the Endangered Species Act, the last



September 24 Western Caucus briefing and press event in the U.S. Capitol. Four representatives with ties to the Family Farm Alliance spoke at the briefing, which was attended by twelve Members of Congress. Photo courtesy of Zachary Israel.

safety net for many imperiled species."

A parallel assault on the Trump ESA proposal was also launched in the U.S. District Court for the Northern District of California by California Attorney General Xavier Becerra. Mr. Becerra led a coalition of attorneys general from 18 states and the City of New York who filed the lawsuit challenging the Trump Administration's regulations. The suit claims that the proposed rules undermine the key requirements and purpose of the ESA in violation of the law.

"The only thing we want to see extinct are the beastly policies of the Trump Administration putting our ecosystems in critical danger," said Attorney General Becerra.

The Family Farm Alliance and many other agricultural organizations, developers, recreation groups and local elected officials have expressed support for the proposed regulations, which were developed jointly by U.S. Fish and Wild-

Continued on Page 7

Page 3

Alliance President Testifies Before the Senate on 2020 WRDA

Family Farm Alliance President Patrick O'Toole earlier this month presented recommendations to the Senate Committee charged with crafting the next Water Resources Development Act (WRDA). Mr. O'Toole was joined by two other witnesses who all testified before the Senate Committee on Environment and Public Works at a hearing entitled, "Improving American Economic Competitiveness through Water Resources Infrastructure."

"Extreme hydrologic events- marked by drought on one end, and floods on the other - will require everyone in the West to adopt a new paradigm, one that truly promotes wise management of this limited and valuable resource," said Mr. O'Toole, a cattle and sheep rancher from Wyoming. "This new paradigm will also mean additional investment in technology, conservation and new water storage and management infrastructure in order to deal with the uncertainties that lay before us."

Committee Chairman John Barrasso (R-WYOMING) introduced Mr. O'Toole to the committee prior to his testimony.

"I would like to take a moment to introduce a very special friend and a longtime friend, Pat O'Toole. I've had the pleasure of knowing Pat for many years now," said Chairman Barrasso. "He and his family are sheep and cattle ranchers in southern Wyoming along the Little Snake River. Pat has served as the president of the Family Farm Alliance, an organization dedicated to advocating for farmers, ranchers, and irrigation districts in Western states, since 2005."

WRDA is a biennial piece of legislation that is the main vehicle for authorizing water projects to be studied, planned and developed by the U.S. Army Corps of Engineers

(Corps). It is also the legislative vehicle for implementing policy changes with respect to the Corps' water resource projects and programs. As such, this legislation is very important to the rural communities of the Western United States.

"We appreciate this opportunity to discuss conceptual ideas for the 2020 WRDA," said Mr. O'Toole. "We've developed a wish list which assumes that the Senate WRDA under consideration will not necessarily be a Corps-centric bill, but could provide a vehicle to address other national and Western water resources challenges, as well."

Recent WRDA bills - including the Water Infrastructure Improvements for our Nation (or WIIN) Act of 2016 and America's Water Infrastructure Act (AWIA) of 2018 - both included water titles that included non-Corps programs that benefited Western rural communities.

"We believe a Western water title of the bill could provide a vehicle for several other water bills currently being considered in Congress," said Mr. O'Toole.

Mr. O'Toole's testimony concluded by stating the importance of addressing unique challenges faced by rural communities.

"The public infrastructure challenges our Nation is currently facing are daunting, and they will require innovative solutions," said Mr. O'Toole. "Resilience will define success in the world of water policy. The future of how we utilize our water resources depends on funding options that help local communities have a flexible set of options."

Joining Mr. O'Toole on the witness dais were Jamey Sanders (Vice-President of Choctaw Transportation Company) and Derek Brockbank (Executive Director, American Shore and Beach Preservation Association).



Senate Environment and Public Works (EPW) Committee Chairman John Barrasso (R-WYOMING) catches up on Western water matters with Family Farm Alliance President Pat O'Toole.
Photo source: Senate EPW Committee

Senate Committee Holds Confirmation Hearing for FWS Director Nominee

Senators earlier this month considered the nomination of Ms. Aurelia Skipwith to the Director of the U.S. Fish and Wildlife Service (FWS) at the Department of the Interior. Ms. Skipwith appeared before the Senate Environment and Public Works (EPW) Committee on September 11. If confirmed, she would be the first African American to head the agency.

"I am committed to leading the agency with the highest ethical standards and to ensuring that professional ethics are maintained throughout the U.S. Fish and Wildlife Service," Ms. Skipwith said at the hearing.

This will be her second try for the position, which has been vacant throughout the Trump Administration. Her nomination late in the previous Congress died without the Senate acting. Ms. Skipwith has been serving as the Interior

Department's Deputy Assistant Secretary for Fish, Wildlife and Parks.

"More than 80 groups and individuals have written in support of Ms. Skipwith's nomination," noted Sen. John Barrasso (R-WYOMING), the chairman of the Senate EPW Committee.

The Family Farm Alliance earlier this month transmitted a letter of support for Ms. Skipwith to the EPW Committee.

"We believe Ms. Skipwith will bring a level of practical experience and intelligence, an understanding of the issues affecting Western farmers and ranchers, and a long-term vision for the future of the West to this important position," said Alliance Executive Director Dan Keppen. "She has our complete support for this position."

Trump Administration Repeals Obama-era WOTUS Rule

To howls of protest and dire warnings of environmental catastrophe, the Environmental Protection Agency (EPA) and the Army Corps of Engineers (Corps) earlier this month finalized their repeal of the 2015 Obama-era Clean Water Rule. This effort seeks to clarify which wetlands and streams were protected as "waters of the U.S.," or WOTUS, under the Clean Water Act (CWA). While the State of California and other critics of the move are taking actions to prevent that from occurring, farming interests generally support the move.

"Repealing the WOTUS rule is a major win for American agriculture," said Agriculture Secretary Sonny Perdue in a statement. "The extreme overreach from the past Administration had government taking the productivity of the land people had worked for years."

The 2015 rule sought to clarify which wetlands and streams were protected as "waters of the U.S.," or WOTUS, under the CWA. The Trump repeal is the first of two steps planned by the administration. It remedies the legal and procedural deficiencies of the 2015 Rule, addresses the extensive litigation surrounding it, and recodifies and restores a regulatory process that has been in place for years.

The 2015 rule is currently blocked in 27 states and in effect in 22 others (the status of the rule in New Mexico is unclear). The repeal brings all 50 states back under regulations that have been in place since the 1980s, as interpreted by guidance written by the George W. Bush administration in 2008. The repeal is the first of two steps planned by the administration.

"The next step will be to rewrite the rule to provide regulatory certainty to our nation's farmers and businesses as to the definition of WOTUS," the White House said in a statement.

Irrigation ditches typically are constructed in upland areas, but frequently must connect to a "WOTUS" to either capture or return flow. Congress in the CWA deliberately exempted both the construction and maintenance of such facilities, and excluded agricultural stormwater discharges and irrigation return flows from the definition of "point source". That latter term applies to factory and sewer treatment discharges.

"The 2015 final rule itself was not crystal clear in excluding the West's important irrigation infrastructure from CWA jurisdiction," said Norm Semanko (IDAHO), general counsel to the Alliance. "Because the 2015 rule did not include explicit exemptions for these irrigation features, irrigators feared that litigious activists would inevitably claim that those features were subject to CWA jurisdiction."

At a minimum, this could spawn years of delays (CWA permits can take a decade to secure) and lead to protracted and costly litigation. This in turn would create enormous uncertainty and potentially cripple Western agriculture,

which obviously needs a reliable water supply.

"The proposed Trump rule, thankfully, returns irrigation and non-tidal drainage ditches to their historically - exempt status," said Alliance executive director Dan Keppen.

Critics of the Trump Administration move were quick to call it a "roll back" - an "assault" on the CWA - and worked with urban media outlets to broadcast that message.

"One not familiar with this nation's regime for regulation of the environment might understandably conclude that the Trump Administration's new proposal will allow unchecked pollution in our nation's waters," said Mr. Keppen. "In fact, the CWA has long been widely recognized as an extremely successful statutory regime. And much of this progress was achieved under the CWA rules that were in place prior to the Obama Administration's 2015 Rule."

The result is a rule which establishes a regulatory structure that moves importantly in the direction of bringing clarity to CWA regulation. It does so by establishing what categories meet the definition under WOTUS. Just as importantly, it explains which categories do not.

Even before the announcement, environmental groups and their supporters vowed to challenge the rollback. California State Attorney General Xavier Becerra is already threatening legal action against the Trump administration, according to the *San Francisco Chronicle*.

"Our oceans, lakes, and rivers are all connected - when pollution impacts one source, it impacts them all and affects our communities," Becerra said in a statement earlier this month. "While we don't go looking for a fight, there's too

much at stake for us to let this go."

Meanwhile, California Governor Gavin Newsom (D) earlier this month vowed to veto a state bill that would have negated

many of the President's proposed regulations. Water-related provisions of the bill proved problematic for farmers, ranchers and water agencies. For example, SB 1 would apply the California Endangered Species Act to the federally operated Central Valley Project. That provision threatened negotiations to establish voluntary agreements concerning water flows from the Sacramento and San Joaquin river watersheds into the California's Bay-Delta.

Governor Newsom announced his opposition to Senate Bill 1 several hours after California lawmakers approved it.

"ACWA applauds Governor Newsom for recognizing that SB 1 would have derailed the ongoing Voluntary Agreement negotiations and led to unnecessary regulatory uncertainty for water agencies throughout California," said Brent Hastey, President of the Association of California Water Agencies (ACWA). "His commitment to the collaborative Voluntary Agreement process reflects a belief in California and the people who are working hard, and working together, to truly benefit our communities, our economy and the environment."

"Repealing the WOTUS rule is a major win for American agriculture. The extreme overreach from the past Administration had government taking the productivity of the land people had worked for years."

U.S. Secretary of Agriculture Sonny Perdue

Maui County Council Votes to Settle High Profile CWA Case

The Maui County Council voted 5-4 earlier this month to approve a resolution supporting a settlement of a high-profile Clean Water Act (CWA) case with implications for American farmers and ranchers. The decision could prevent the conservative-leaning U.S. Supreme Court to determine whether pollution that travels through groundwater on the way to federally regulated waters triggers CWA permitting requirements.

The U.S. Supreme Court was scheduled to hear arguments in the contentious Maui County, Hawaii groundwater case on November 6. It is expected that the settlement – pushed hard for by local and national environmental groups – would prevent the Supreme Court from making a ruling.

"The Maui County Council showed true leadership today in its decision to settle outside of court and not risk a historic standoff over the future of America's clean water at the Supreme Court," Isaac Moriwake, an attorney for Earthjustice told E&E News. "This decision is a win not only for Maui, but for the country at large."

In *County of Maui v. Hawaii Wildlife Fund*, the argument is centered on whether the CWA applies to pollutants moving through groundwater to "waters of the U.S." The

question: Does the CWA's permitting system apply to pollution that moves through groundwater before reaching a federally regulated waterway? Maui County lawyers say the answer is "no". Their position is based on a careful but disputed reading of the federal statute's text. The law stipulates that the NPDES applies only when there is an addition of a pollutant from a specific "point source" to a WOTUS.

Environmentalists allege the County of Maui needed a CWA permit for the discharges because the wastewater eventually seeped through groundwater and ended up in the Pacific Ocean. The circuit court agreed with environmental groups in *Maui* that the CWA— which governs the discharge of pollutants from discrete "point sources" into "waters of the United States" — applies even when the pollution migrates through groundwater before reaching a waterway that is subject to federal jurisdiction.

The Family Farm Alliance is part of a group of eight national agriculture organizations that joined in an *amicus curiae* ("friend of the court") brief that was transmitted to the Supreme Court in May. This amicus effort is intended to protect routine agricultural operations from a potentially limitless expansion of the NPDES program. Attorneys involved in this effort are closely watching to see what happens in the aftermath of the Maui council's decision to settle the lawsuit.

Army Corps Places 6-Month Halt on Water Supply Rule

U.S. Senator and Senate Environment and Public Works (EPW) Subcommittee on Fisheries, Water, and Wildlife Chairman Kevin Cramer (R-ND) announced this month that the U.S. Army Corps of Engineers (USACE) will halt a final Water Supply Rule from being issued for at least six months in order to better integrate input from stakeholders.

"This is a major victory," said Senator Cramer. "The Corps' preferred rule ignores both precedent and statute. It was never the intention of Congress to federalize the water in our country's major rivers, and the final rule should reflect that. Now that the Corps has reluctantly given this reprieve and expanded the process, it is critical every stakeholder express their concerns and stand up for their rights in order to make the Corps better understand this issue and give us a better product."

This comes after Senator Cramer led 18 of his colleagues in expressing strong bipartisan opposition to the USACE's Water Supply Rule rulemaking process, which left these Senators- as well as states, tribes, and stakeholders- believing reasonable concerns had not been adequately

addressed.

"We have attempted to provide input to the Corps on its proposed implementation of federal law, but our concerns have not been adequately addressed," the group of Senators wrote to the Office of Management and Budget (OMB). "We urge you in your capacity to direct the Corps to make the adjustments necessary to follow decades of federal precedent and respect state and tribal water authority."

OMB also received letters on this issue from the Western Governors Association, the Conference of Western Attorneys General (AGs) and others. The AGs letter describes various provisions of the two statutes and subsequent court cases. It notes that States have the right to appropriate their waters, and the United States may not question such appropriation unless it disturbs the navigability.

Even then, the navigation servitude west of the 98th Meridian may not conflict with any beneficial consumptive use, present or future, of waters for domestic, municipal, stock water, irrigation, or mining purposes. The AGs provides six illustrative examples of ways the proposed rule exceeds the Corps' authority and seeks to usurp state power to control the allocation and distribution of their waters.



Senator Kevin Cramer (R-ND)
Photo source: Washington Post

Klamath Farmers Free Up Water for National Wildlife Refuge



The combination of responsible water management by irrigators and various favorable weather conditions have led to the Klamath Project in California and Oregon potentially having anywhere between 6,000-21,000 acre-feet of a calculated "Project Supply" available for diversion to the Lower Klamath National

Wildlife Refuge. This delivery, on top of water already being provided, comes at a critical time for fall waterfowl migration, and was made available through extensive coordination and efforts by Klamath Project irrigators.

"The Klamath Project irrigators understand the importance of the refuge to waterfowl and are pleased to be able to make a water supply available for the critical early fall period when waterfowl start migrating through the Ba-

sin," said Klamath Drainage District Manager Scott White.

Since April, there has been ongoing inter-district coordination and conservation measures, as well as coordination with refuge managers and conservation groups. The timing of the water delivery is paramount in determining the benefit of Lower Klamath Refuge to the waterfowl of the Pacific Flyway.

Under current Endangered Species Act (ESA) restrictions, there is a total "Project Supply" from Upper Klamath Lake calculated for the March-October irrigation season at the Klamath Project. The refuge can only use Project Supply that is in excess of irrigation needs, along with some other sources that exist outside the Project Supply.

In years past, there would have been more than adequate water available for refuge needs, but that has changed due to ESA requirements to maintain water levels in Upper Klamath and to send water down the Klamath River.

2019 Farmer Lobbyists (Continued from Page 3)

life Service and National Marine Fisheries Service. The Alliance in 2018 provided detailed recommendations for the Services that was developed by a team of resources, law, and policy experts familiar with Western water resource management and how this important function is impacted by implementation of federal laws and regulations.

The Alliance summarized some of those recommendations and expressed support for the Trump regulations in written testimony that was submitted to the WOW Subcommittee record.

"We believe modest changes to implementation of the Act are needed," said Mr. Keppen. "The Services are taking a measured approach to assessing and making measured and reasonable regulatory changes to the implementation of the ESA, an approach we support."

Another Successful Trip

It was an action-packed week for this year's farmer lobbyists, with Congress tackling a variety of pressing issues. Legislative priorities that Congress will likely address during the remaining three months of 2019 include Fiscal Year 2020 appropriations, prescription drug prices and medical bills, gun control, tax issues, the U.S.-Mexico-Canada trade agreement, White House investigations, and water resources legislation. While the farmer lobbyists were in D.C., the Senate passed the Continuing Appropriations Act, 2020, and Health Extenders Act of 2019, a bill that was previously passed by the House earlier in the month. President Trump shortly thereafter signed the bill into law, in order to avoid a government shutdown beginning October 1.

Talks between Congressional Democrats and President

Trump on a broader infrastructure package have not been productive nor advanced since the spring. However, it is possible that Congress ultimately includes additional infrastructure provisions to a surface transportation package, including, but not limited to, broadband, housing, schools, water, and environmental and energy-related provisions. However, in the waning days of the month, one topic emerged which will likely overshadow everything: the move by House Democrats to begin President Trump's impeachment proceedings.

This year's farmer lobbyists waded into a sea of partisan frenzy following the announcement by House Speaker Nancy Pelosi to formally throw her support behind an impeachment inquiry of President Trump, accusing him of committing a "betrayal of his oath of office." Water committee staffers expressed concern about the need to make some quick, solid process on things like the 2020 Water Resources Development Act before the 2020 election and impeachment issues stop everything.

"The overall political climate was tense," said Mr. Keppen. "Still, the support for new water infrastructure legislation appeared to have backing from both Democrats and Republicans. It was a good time for our farmer lobbyists to be in Washington."

Mark Limbaugh, Chris Kearney and Zach Israel of The Ferguson Group handled the logistics in D.C.

"The Ferguson Group staff once again deserve a shout-out for the incredible itinerary they developed and professional approach they employed in setting up this year's trip," said Mr. Keppen. "The excellent work The Ferguson Group does, and the obvious respect and network they have in D.C. is something we are grateful for."

A Big Thank You to Our New and Supporting Members!

JUNE-AUGUST 2019

CHAMPION (\$10,000 and Above)

Washington State Potato Commission

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

Klamath Water Users Association (OR)

Water District #1 (ID)

DEFENDER (\$1000-\$4999)

Harvey A. Bailey (CA) Borba Farms Partners (CA)

Klamath Basin Improvement District (OR) Mccilli Farms (TX)

Nampa & Meridian Irrigation District (ID) Nebraska State Irrigation Association

North Platte Valley Irrigators Association (NE) J.R. Simplot Co. (ID)

Tehama-Colusa Canal Authority (CA) Teixeira & Sons (CA)

Twin Falls Canal Company (ID) Tulare Lake Basin Water Storage District (CA)

Yuba County Water Agency (CA)

PARTNER (\$500-\$999)

Animas-La Plata WCD (CO) Benson Farms LLC (CA) Gering-Fort Laramie Irrigation District (NE)

H-Four Farms (AZ) Little Snake River Conservation District (WY)

Maricopa-Stanfield Irrigation District (AZ) New Magma Irrigation and Drainage District (AZ)

North Unit Irrigation District (OR) Owyhee Irrigation District (OR) Redfern Ranches (CA)

Stotz Equipment (AZ) Truckee Carson Irrigation District (NV)

SUPPORTER (\$250—\$499)

Harlan Family Foundation (CA) Mancos WCD (CO) Milner Irrigation District (ID)

Princeton-Cordora-Glenn Irrigation District (CA) Trinchera WCD (CO)

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 would like further info, please contact Dan Keppen at dan@familyfarmalliance.org, or visit our website: www.familyfarmalliance.org.



Contributions can also be mailed directly to:
Family Farm Alliance
22895 S. Dickenson Avenue
Riverdale, CA 93656.



September 25, 2019

Agenda Item XIII. - Reports

Honorable Michael J. Carrozzo
Presiding Judge
Santa Barbara Superior Court
County Courthouse
1100 Anacapa Street
Santa Barbara, CA 93101

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26
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Lori Parker

DIVISION 4
SANTA YNEZ
Michael Burchardi

TRUSTEE-AT-LARGE
Brad Joos

GENERAL MANAGER
Chris Dahlstrom

RE: 2019 Santa Barbara Civil Grand Jury report titled, "Cachuma Project Contract and Management", (Published June 28, 2019)

Honorable Judge Carrozzo:

The Santa Ynez River Water Conservation District, Improvement District No. 1, ("ID No.1") appreciates the opportunity to respond and provide clarification to the Grand Jury Report ("Report") entitled "Cachuma Project Contract and Management". By this letter, and in compliance with Penal Code section 933.05(f), ID No.1 submits its comments on the Grand Jury's findings and recommendations in the Report within the specified ninety (90) day time period. ID No.1 takes the Grand Jury's comments seriously and will provide a thorough and constructive response to each of the applicable findings and recommendations. ID No.1's specific comments to the Report are included below.

Grand Jury Findings and Recommendations

Finding 1

The current Contract does not fully address future water management problems such as will arise from climate and other rapid environmental changes.

ID No.1 Response to Finding 1: ID No.1 agrees with the finding. Renewal Contract No. 175R-1802r (Master Contract) that was enacted in 1995 between the United States Bureau of Reclamation ("Reclamation") and Santa Barbara County Water Agency (SBCWA) did not provide for certain recent environmental factors to be addressed in the contract terms.

Recommendation 1

That the Directors of the Member Units and the Santa Barbara County Board of Supervisors, acting as Directors of the SBCWA, pursue the upcoming 2020 contract negotiations as an opportunity to create a completely new contract.

ID No.1 Response to Recommendation 1: This recommendation is unlikely to be implementable. The United States Bureau of Reclamation specifies the type of standardized contract then determines the terms and conditions-based contract language established by Federal law and Department of Interior policy. This language is then utilized as its' Basis of Negotiation (BON). There is an opportunity for the contracting parties to negotiate limited and certain terms and conditions within the USBR structured contracts. However, the Member Units and SBCWA

 **COPY**

lack the authority to change the type of contract or create a completely new contract. That is dictated by Federal law and policy.

Finding 2

Public understanding and effective operation of the Cachuma Project would be enhanced if key terms in the Contract were defined and used more precisely.

ID No.1 Response to Finding 2: ID No.1 partially agrees with the finding. Although the public understanding of certain terms in the contract may be a concern, the Renewal Contract I75R-1802r was executed in 1995 with language defined by the United States Bureau of Reclamation using its standard articles and definitions which have been sufficiently defined to guide contract compliance and operation of the contracting parties.

Recommendation 2

That the Directors of the Member Units and the Santa Barbara County Board of Supervisors, acting as Directors of the SBCWA, require that key terms in the new Contract are defined clearly and used in a consistent manner.

ID No.1 Response to Recommendation 2: Respectfully, this recommendation cannot be implemented. Neither the Member Units nor SBCWA have the authority to "require" the key terms of a renewal or new contract, as determined by USBR, be defined in any manner. As in past Cachuma Project contracts as well as USBR contracts executed west wide, the key terms, conditions, standardized articles, and contract document language are pre-determined and established by Federal law and USBR policy. However, certain language in the non-public Basis of Negotiation (BON) that is not pre-decisional may be subject to limited opportunity of negotiation by the contracting parties.

Finding 3

The roles and responsibilities of SBCWA and the Member Units are not clearly defined in the current Contract.

ID No.1 Response to Finding 3: ID No.1 respectfully disagrees with the finding. The roles, responsibilities, obligations and authority are clearly defined within the confines of the Renewal Contract I75R-1802r and concurrent Member Unit Contracts. Over the past 24 years of the 25-year term contracts, the Member Units have carried out all the responsibilities and obligations including meeting all the terms and conditions for capital repayment, water supply, water conservation and environmental compliance. Because these roles are clearly stated in the contracts, the five Cachuma Member Units are the sole contracting agencies that benefit from, fully utilize and manage the available supply of Cachuma Project Water as provided by USBR.

Recommendation 3

That the Directors of the Member Units and the Santa Barbara County Board of Supervisors, acting as Directors of the SBCWA, ensure their roles and responsibilities are clearly defined in the new Contract.

ID No.1 Response to Recommendation 3: This recommendation will be implemented. As indicated in the response to Finding 3, this recommendation is unnecessary because the roles, responsibilities, obligations and authority associated with the Cachuma Project contracts are clearly defined and it is the expectation similar standardized language will be applicable in the Master Contract. Moreover, renewal or new contract language will be defined by USBR pursuant to Federal law and Reclamation Policy.

Finding 4

The current Water Year, October 1 to September 30, makes diversion recommendations and decisions difficult because it comes just before the rainy season, which the quantify of water in Cachuma for the next few months is highly unpredictable.

ID No.1 Response to Finding 4: ID No.1 agrees with this finding.

Recommendation 4

That the Directors of the Member Units and the Santa Barbara County Board of Supervisors, acting as Directors of the SBCWA, strongly urge in negotiations for the new Cachuma Project Contract that the Water Year should run from May 1 to April 30, or similar period, to allow diversion requests to be made soon after the usual winter rain period.

ID No.1 Response to Recommendation 4: The recommendation to strongly urge a change to the Contract Year will be implemented. Prior to the Renewal Master Contract in 1995, the original Master Contract Water Year was May 15 to May 14 reflecting the hydrologic year for the Santa Ynez River Basin. USBR changed the Water Year to a Federal Fiscal Year which made the predictability of the water supplies uncertain because there was no correlation with rainfall, runoff and storage at the end of the rain season. USBR has considered this change for the 2020 contract.

Finding 5

Provisions in the 2020 Contract will need more frequent updating than those in previous Contracts due to rapid climate change altering the natural conditions affecting water supply.

ID No.1 Response to Finding 5: ID No.1 respectfully disagrees with this finding.

The purpose of the Master Contract is to establish a long-term, contractual water supply and service payment agreement. USBR policy is to engage in 25 to 50-year contracts to provide certainty for the use of its water storage facilities and water supplies to its contracting agencies while protecting the downstream water right interests and public trust resources. The operations of the Project and available supply is a function of the hydrology of the Santa Ynez River basin which the Master Contract allows the flexibility for USBR to respond and determine those allocations based on the natural changing conditions.

Recommendation 5

That the Directors of the Member Units and the Santa Barbara County Board of Supervisors, acting as Directors of the SBCWA, propose to the Bureau of Reclamation that the new Cachuma Project Contract require a meeting between them and the Bureau every five years, with a public agenda, to consider changes to Contract provisions which have become outdated.

ID No.1 Response to Recommendation 5: This recommendation will not be implemented. ID No.1 cannot support re-opening a Master Contract on a five-year basis nor does the SBCWA or the Member Units have an ability to demand USBR provide non-standardized terms. Furthermore, it is unlikely that USBR would re-open and re-negotiate a long-term contract given the cost and Federal contract processing requirements. However, USBR must operate and maintain the Cachuma Project subject to the continuing jurisdiction and pursuant to Water Right Orders issued by the State Water Resources Control Board and Biological Opinion conditions of the National Marine Fisheries Service.

Finding 6

Under the 1995 Contract, Article 9(g), the required five-year meetings cannot result in increased water diversions to Member Units.

ID No.1 Response to Finding 6: ID No.1 respectfully partially disagrees with this finding. Article 9 (g) provides for USBR, SBCWA and the Member Units to meet not more frequently than five years in an open process with a view to reach agreement on any changes to the Project operations that might further protect the environment and groundwater quality downstream of Bradbury Dam, conserve Project water, and promote efficient water management. Modifying operational changes must be consistent with Federal and State law, Project water rights, and not reduce available supply in any water year. There is no reference in this Article restricting an increase in water diversion. However, water diversions under permits 11308 and 11310 are subject to the continuing jurisdiction of the State Water Resources Control Board; thus, Water Rights Orders dictate the operations of the Project.

Recommendation 6

That the Directors of the Member Units and the Santa Barbara County Board of Supervisors, acting as Directors of the SBCWA, propose to the Bureau of Reclamation that the required five-year meetings allow changes to the operations of the new Contract, including increased diversions, provided they are consistent with Federal law, State law, and Project Water Rights, and do not negatively affect the environment or the groundwater quality downstream of Bradbury Dam.

ID No.1 Response to Recommendation 6: This recommendation will not be implemented such that SBCWA and the Member Units do not have the authority to demand changes inconsistent with Federal and State law and water rights orders under the continuing jurisdiction of the State Water Resources Control Board.

Finding 7

Member Units and SBCWA have expressed support for formal, quantitative methods of decision-making under uncertainty which can identify sources of disagreement, and thus facilitate compromise solutions.

ID No.1 Response to Finding 7: ID No.1 agrees with this finding.

Recommendation 7

That the Directors of the Member Units and the Santa Barbara County Board of Supervisors, acting as Directors of the SBCWA, establish a format for quantitative decision-making under uncertainty; and seek to narrow their differences on such components as probabilities of future rainfall patterns and criteria for desirable outcomes.

ID No.1 Response to Recommendation 7: This recommendation will not be implemented because a management level meeting format already exists among the Member Units as well as between the Member Units and SBCWA. Although the SBCWA does not participate in many meeting opportunities between the Member Units, the Member Units consistently confer on many topics including drought, water supply modeling, environmental, water efficiency and water management. These forums create solution and compromise-based opportunities and collaboration as well as respectful understanding of differences and positions.

Finding 8

SBCWA and the Member Units agree that meetings of their technical staffs are valuable but disagree over the organizational concerns of past meetings, such as claims of infrequency, non-attendance, non-response and cancellation without notice.

ID No.1 Response to Finding 8: ID No.1 respectfully partially agrees with this finding. The meetings between SBCWA and the Member Units are valuable with scheduling and attendance always being a factor due to various agency demands. There are missed opportunities for attendance due to other matters taking higher priority. It is important when critical issues, such as Master Contract meetings, that involve SBCWA and Member Unit participation, those opportunities should not be lost.

Recommendation 8

That each year the Directors of the Member Units and the Santa Barbara County Board of Supervisors, acting as Directors of the SBCWA, determine a schedule of multiple meetings of key technical staffs to discuss Cachuma Project operations, including upcoming diversions, and to report major points of potential agreement or disagreement to their Boards.

ID No.1 Response to Recommendation 8: This recommendation will not be implemented because management level meetings between SBCWA and Member Units are scheduled on a monthly and as-needed basis. The elected Board officials should not be scheduling technical staff level discussions or managing technical staff. This undermines the underlying premise of delegation of responsibility by the agency management to staff.

Finding 9

The websites of the Member Units and SBCWA lack clarity and detail on the Cachuma Project.

ID No.1 Response to Finding 9: ID No.1 partially disagrees with this finding. Frequently requested information is available on Member Unit websites, and Cachuma Project history and operational information is located on the Reclamation website. Additional information is available upon request. Each month, ID No.1 provides a detailed summary of Cachuma Project history, actions and activities on its website within the Board agenda materials.

Recommendation 9

That the Directors of the Member Units and the Santa Barbara County Board of Supervisors, acting as Directors of the SBCWA, set up and maintain a specific website for detailed information on the Cachuma Project's history, structure, governance, and operations, with links to additional historical documents and records.

ID No.1 Response to Recommendation 9: The recommendation has already been implemented with links to a variety of sources and websites. ID No.1 does not use its website as a depository of all documents and records, but additional information is available upon request.

The ID No.1 Board of Trustees and Management again sincerely thank those individuals serving on the Grand Jury for volunteering their time, trying to gain an understanding of the very complicated and complex issue of the Cachuma Project, and preparing this report in a short amount of time. By incorporating the submitted comments, this report will then accurately reflect these complex water matters and provide the community an informative document. Thank you for the opportunity to respond to the Grand Jury Report.

Please let us know if there is anything further that you require.

Sincerely,



Chris Dahlstrom
General Manager

cc: Board of Trustees
Santa Barbara County Grand Jury

1:00 P.M. Call to Order and Roll Call**Pledge of Allegiance****Approval of Minutes of the September 5, 2019 Regular Meeting****Public Comment Period**

Persons desiring to address the Commission must complete and deliver to the Commission Clerk the form which is available at the Hearing Room entrance prior to the commencement of this comment period. This is an opportunity for members of the public to speak on items that are not on the agenda.

Consent Calendar

All matters listed hereunder constitute a Consent Agenda and will be acted upon by a single roll call vote of the Commission. Matters listed on the Consent Calendar will be read only on the request of a member of the Commission or the public, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

Members of the public may speak on any item listed on the Consent Calendar.

- 1) Receive and file a report on Disbursements for August and September 2019.

Business Items

- 1) Selection of alternate voting delegate for the CALAFCO Business Meeting to be held at the CALAFCO Annual Conference.
- 2) Consider recommendations regarding the adoption of a Resolution that will take the following actions regarding an election for the formation of the San Antonio Basin Water District, as follows:
 - a) Direct the Board of Supervisors to order County Elections to conduct a landowner voter election for the formation of the San Antonio Basin Water District;
 - b) Approve the Ballot Measure for the Formation of the San Antonio Basin Water District; and
 - c) Approve the Impartial Analysis for the Formation of the San Antonio Basin Water District.

Information Items

- 1) Receive and file a report on the 2019 CALAFCO Annual Conference.

**Santa Barbara
Local Agency Formation Commission**

Santa Barbara



*Commissioner Roger Aceves
Commissioner Cynthia Allen, Alternate
Commissioner Craig Geyer, Vice-Chair
Commissioner Joan Hartmann
Commissioner Steve Lavagnino, Chair
Commissioner Jay Freeman
Commissioner Holly Sierra, Alternate
Commissioner Shane Stark, Alternate
Commissioner Etta Waterfield
Commissioner Roger Welt
Commissioner Das Williams, Alternate*

Agenda

**Thursday, October 3, 2019
1:00 PM**

**BOARD OF SUPERVISORS HEARING ROOM
JOSEPH CENTENO BETTERAVIA GOVERNMENT CENTER
511 EAST LAKESIDE PARKWAY, SANTA MARIA**

Meetings, Agendas, Supplemental Materials and Minutes of the Local Agency Formation Commission are available on the internet: www.sblafco.org

CORRESPONDENCE LIST
OCTOBER 2019

1. Letter received September 11, 2019 from CALPERS re: All Public Agency Employers – June 30, 2018 Actuarial Valuation Reports
2. Letter from District dated September 11, 2019 to District customer C. Brokaw and B. Bailey re: Water Service account payment arrangement agreement
3. Memorandum received September 11, 2019 from Central Coast Water Authority re: Annual Delivery Schedule (2020 through 2024)
4. Letter received September 11, 2019 from District customer B. Becket re: Request to consider rate reduction on water service account
5. Executed letter agreement received September 16, 2019 from District customer D. Perlman re: Meter test for 3150 Figueroa Mtn. Road
6. Executed letter agreement received September 17, 2019 from District Customer C. Brokaw & B. Bailey re: water service account payment arrangement
7. Letter received September 18, 2019 from WE Watch re: Recommendation on the Delta Conveyance Project
8. Letter from District dated September 19, 2019 to Ms. W. Shepard re: Backflow prevention device at 1925 Alamo Pintado Road
9. Agenda and Board packet received September 23, 2019 from Central Coast Water Authority re: Board of Directors Meeting September 26, 2019
10. Letter received September 23, 2019 from Pacific Gas and Electric re: Gas and Electric service Restoration
11. Agenda received September 26, 2019 from Santa Barbara LAFCO re: October 3, 2019 Santa Barbara County Local Agency Formation Commission October 3, 2019
12. Letter from District dated September 30, 2019 to District customer D. Perlman re: Meter Test Results
13. Letter received October 1, 2019 from Central Coast Water Authority re: Administrative Cost Deposit Invoices – Reacquisition of Suspended Water – SYRWCD, ID No.1 and City of Solvang
14. Letter received October 1, 2019 from Central Coast Water Authority re: Invoices for SYRWCD, ID No.1 and City of Solvang for Deposit for Additional Administrative Costs for the Re-Acquisition of Suspended Table A Water
15. Letter from District dated October 2, 2019 to Mr. K. Reed re: Backflow Prevention Device for 1233 Calzada Avenue
16. Letter received October 8, 2019 from County of Santa Barbara Office of the Auditor-controller re: 2019-2020 Property Tax Allocations

17. Letter from District dated October 7, 2019 sent to 18 District customers re: 15-day Final Notice on Backflow prevention device testing