

NOTICE AND AGENDA

Regular Meeting of the Board of Trustees
SANTA YNEZ RIVER WATER CONSERVATION DISTRICT, IMPROVEMENT DISTRICT NO.1
will be held at **3:00 P.M., Tuesday, November 15, 2022**
In-Person - 1070 Faraday Street, Santa Ynez, CA - Conference Room

OR VIA TELECONFERENCE

TELECONFERENCE PHONE NUMBER: 1-669-900-9128

MEETING ID: 929 0039 9487#

PARTICIPANT ID NO.: 180175#

MEETING PASSCODE: 180175#

Important Notice Regarding Public Participation in This Meeting: For those who may not attend the meeting in person or teleconference but wish to provide public comment on an Agenda Item, please submit any and all comments and written materials to the District via electronic mail at general@syrwd.org. All submittals should indicate "**November 15, 2022 Board Meeting**" in the subject line. Public comments and materials received by the District will become part of the post-meeting Board packet materials available to the public and posted on the District's website. In the interest of clear reception and efficient administration of the meeting, all persons participating via teleconference are respectfully requested to mute their voices after dialing-in and at all times unless speaking.

1. **CALL TO ORDER AND ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **REPORT BY THE SECRETARY TO THE BOARD REGARDING COMPLIANCE WITH THE REQUIREMENTS FOR POSTING OF THE NOTICE AND AGENDA**
4. **CONSIDERATION OF RESOLUTION NO. 827 – A Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 Authorizing Remote Teleconference Meetings Under the Ralph M. Brown Act in Accordance with AB 361**
5. **ADDITIONS OR CORRECTIONS, IF ANY, TO THE AGENDA**
6. **PUBLIC COMMENT** - Any member of the public may address the Board relating to any non-agenda matter within the District's jurisdiction. The total time for all public participation shall not exceed fifteen (15) minutes and the time allotted for each individual shall not exceed three (3) minutes. The District is not responsible for the content or accuracy of statements made by members of the public. No action will be taken by the Board on any public comment item.
7. **CONSIDERATION OF THE MINUTES OF THE REGULAR MEETING OF OCTOBER 18, 2022**
8. **CONSENT AGENDA** - All items listed on the Consent Agenda are considered to be routine and will be approved or rejected in a single motion without separate discussion. Any item placed on the Consent Agenda can be removed and placed on the Regular Agenda for discussion and possible action upon the request of any Trustee.
 - CA-1. Water Supply and Production Report
 - CA-2. Central Coast Water Authority Update
9. **MANAGER REPORTS - STATUS, DISCUSSION, AND POSSIBLE BOARD ACTION ON THE FOLLOWING SUBJECTS:**
 - A. **DISTRICT ADMINISTRATION**
 1. Financial Report on Administrative Matters
 - a) Presentation of Monthly Financial Statements – Revenues and Expenses
 - b) Approval of Accounts Payable
 2. Operational and Water Service Matters
 - a) Update on Water Service Applications and Proposed Mainline Extension
 - b) RFP for Zone 3 Reservoir Maintenance
 - c) Upcoming Survey Inspection by SWRCB/DDW and Risk Assessment by ACWA JPIA

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

A. SUSTAINABLE GROUNDWATER MANAGEMENT ACT

1. Eastern Management Area (EMA) Update
 - a) Current Activities for EMA Groundwater Sustainability Agency
 - b) Ongoing Negotiations for EMA Joint Powers Authority Agreement

B. AMENDMENT TO RULES & REGULATIONS AND CAPITAL FACILITIES CHARGES

1. Draft Resolution No. XXX: A Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement No. 1 Approving the Automatic Annual Adjustments to the Capital Facilities Charges and Meter Installation Fees Contained in Attachment of Appendix "C" and Appendix "D" of the District's Rules and Regulations

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

12. CORRESPONDENCE: GENERAL MANAGER RECOMMENDS FILING OF VARIOUS ITEMS

13. REQUESTS FOR ITEMS TO BE INCLUDED ON THE NEXT REGULAR MEETING AGENDA: Any member of the Board of Trustees may place an item on the meeting Agenda for the next regular meeting. Any member of the public may submit a written request to the General Manager of the District to place an item on a future meeting Agenda, provided that the General Manager and the Board of Trustees retain sole discretion to determine which items to include on meeting Agendas.

14. NEXT MEETING OF THE BOARD OF TRUSTEES: The next Regular Meeting of the Board of Trustees is scheduled for **December 20, 2022 at 3:00 p.m.**

15. CLOSED SESSION:

To accommodate the teleconferencing component of this meeting, the public access line will be closed for up to thirty (30) minutes while the Board of Trustees convenes into closed session. Upon the conclusion of the closed session, the public participation teleconference access will be reopened for the remaining Agenda Items.

The Board will hold a closed session to discuss the following items:

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

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

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

16. RECONVENE INTO OPEN SESSION

[Sections 54957.1 and 54957.7 of the Government Code]

17. ADJOURNMENT

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

RESOLUTION NO. 827

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

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

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

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

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

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

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

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

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

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

WE, THE UNDERSIGNED, being the duly qualified President and Secretary, respectively, of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1, do hereby certify that the above and foregoing Resolution was duly and regularly adopted and passed by the Board of Trustees of said District at a Regular meeting held on November 15, 2022 by the following roll call vote:

Jeff Clay, President

ATTEST:

Mary Martone, Secretary to the Board of Trustees

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT,
IMPROVEMENT DISTRICT NO.1
OCTOBER 18, 2022 REGULAR MEETING MINUTES

A Regular Meeting of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1, was held at 3:00 p.m. on Tuesday, October 18, 2022, in-person at 1070 Faraday Street and via teleconference.

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

1. CALL TO ORDER AND ROLL CALL:

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

2. PLEDGE OF ALLEGIANCE:

President Clay led the Pledge of Allegiance.

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

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

4. CONSIDERATION OF RESOLUTION NO. 826 - A Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 Authorizing Remote Teleconference Meetings Under the Ralph M. Brown Act in Accordance with AB 361

Mr. Garcia presented Resolution No. 826 and explained that pursuant to amendments to the Brown Act (Assembly Bill 361), public agencies are authorized to conduct remote meetings via video/teleconference during the COVID-19 pandemic, provided certain conditions exist and findings are made. He stated that in order for the Board to continue to meet under the provisions of AB 361, either remotely or under a hybrid approach of remote and in-person attendance, the Board is required to review and reconsider its determinations at least every 30 days. Mr. Garcia reported that because the State of California remains in a declared state of emergency related to the COVID-19 pandemic and because state and local recommendations remain in place to reduce the transmission of COVID-19, approval of Resolution No. 826 would allow the Board to hold meetings under the provisions of AB 361.

No public comment was provided.

It was MOVED by Trustee Joos, seconded by Trustee Burchardi, to adopt Resolution No. 826, a Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 Authorizing Remote Teleconference Meetings Under the Ralph M. Brown Act in Accordance with AB 361.

1 The Resolution was adopted and carried by the following 4-0-0 roll call vote:
2

3 AYES, Trustees: Michael Burchardi
4 Jeff Clay
5 Brad Joos
6 Lori Parker
7

8 NOES, Trustees: None

9 ABSTAIN, Trustees: None

10 ABSENT, Trustees: Jeff Holzer
11

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

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

15 6. PUBLIC COMMENT:

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

21 7. CONSIDERATION OF THE MINUTES OF THE REGULAR MEETING OF SEPTEMBER 20, 2022:

22 The Regular Meeting Minutes from September 20, 2022 were presented for consideration.
23

24 President Clay asked if there were any changes or additions to the Regular Meeting Minutes of
25 September 20, 2022 as presented. There were no changes or additions requested.
26

27 It was MOVED by Trustee Joos, seconded by Trustee Burchardi, and carried by a unanimous 4-0-
28 0 roll call vote, with Trustee Holzer absent, to approve the September 20, 2022 Minutes as
29 presented.
30

31 8. CONSENT AGENDA:

32 The Consent Agenda Report was provided the Board packet.
33

34 Mr. Garcia reviewed the Consent Agenda materials for the month of September.
35

36 It was MOVED by Trustee Joos, seconded by Trustee Clay, and carried by a unanimous 4-0-0 roll
37 call vote, with Trustee Holzer absent, to approve the Consent Agenda as presented.
38

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

41 A. DISTRICT ADMINISTRATION

42 1. Financial Report on Administrative Matters

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

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

48 Ms. Martone reviewed the Statement of Revenues and Expenses for the month of
49 September. She highlighted various line-items related to revenue and expense
50 transactions that occurred during the month and also referenced the Fiscal-Year-to-
51 Date Statement of Revenues and Expenses that provides a budget to actual snapshot
52 from July through September. Ms. Martone reported that the District revenues for the

1 month of September exceeded the expenses by \$443,767.96 and the year-to-date net
2 income was \$1,534,616.86, which will be earmarked and utilized for the District's
3 annual State Water Project which is due in June 2023.
4

5 b) Approval of Accounts Payable

6 Ms. Martone announced that the Warrant List was emailed to the Board members that
7 morning and posted on the District's website in the Board packet materials for any
8 member of the public wishing to follow along or receive a copy.
9

10 The Board reviewed the Warrant List which covered warrants 24770 through 24822 in
11 the amount of \$416,540.20.
12

13 It was MOVED by Trustee Joos, seconded by Trustee Burchardi, and carried by a 4-0-
14 0 roll call vote, with Trustee Holzer absent, to approve the Warrant List for September
15 20, 2022 through October 18, 2022.
16

17 **10. REPORT, DISCUSSION, AND POSSIBLE BOARD ACTION ON THE FOLLOWING SUBJECTS:**
18

19 **A. SUSTAINABLE GROUNDWATER MANAGEMENT ACT**

20 **1. Eastern Management Area Update**

21 Mr. Garcia reported that the Eastern Management Area (EMA) Groundwater
22 Sustainability Agency (GSA) October meeting was cancelled. He updated the Board on
23 other activities that took place during the month, including staff members from the
24 respective agencies reviewing well permit applications that have been filed with the
25 County of Santa Barbara in relation to the GSA's evaluation of whether proposed new and
26 replacement wells are consistent with the sustainability goal and programs adopted under
27 the EMA Groundwater Sustainability Plan (GSP). Mr. Garcia also indicated that staff and
28 legal counsel for the respective agencies have reconvened meetings to negotiate terms of
29 a new Joint Powers Authority structure for the EMA GSA. He reported that progress
30 continues, although several issues still need to be addressed. Mr. Garcia explained that a
31 new voting structure should be negotiated because currently some agencies have
32 weighted votes that would give them more decision-making power than agencies like ID
33 No.1 and the City of Solvang who have water rights in the basin and who actually serve
34 our local communities. He explained that the GSA will soon make very important
35 decisions regarding groundwater issues, such as how much to charge for groundwater
36 production and what projects may be required, and thus a governance structure that gives
37 each agency an equal vote promotes equal representation, fairness, and protection of ID
38 No.1 customers. He stated that further information would be provided as it becomes
39 available.
40

41 **2. Appointments for District's SGMA Ad Hoc Committee**

42 Mr. Garcia reported that the current SGMA Ad Hoc Committee consists of Trustees Joos
43 and Holzer. He explained that due to the increase in activities related to SGMA, there will
44 be a need for increased Ad Hoc Committee representation. Mr. Garcia reported that he
45 discussed the increased time demands with Trustee Holzer, who indicated that his current
46 schedule may conflict with the monthly SGMA meetings and other commitments that
47 may be needed from the Ad Hoc Committee. Mr. Garcia stated that Trustee Holzer was
48 open to the idea of the Board making an adjustment to the SGMA Ad Hoc Committee by
49 appointing another Trustee who has more time available to attend SGMA-related
50 meetings as needed.

1 Discussion ensued and Trustee Burchardi volunteered to be the new alternate for the
2 SGMA Ad Hoc Committee.
3

4 It was MOVED by Trustee Joos, seconded by Trustee Parker, and carried by a 4-0-0 roll call
5 vote, with Trustee Holzer absent, to appoint Trustee Mike Burchardi as the alternate to
6 the SGMA Ad Hoc Committee.
7

8 B. CENTRAL COAST WATER AUTHORITY

9 1. Update Regarding CCWA Water Deliveries

10 The Board packet included excerpts from the CCWA October 13, 2022 PowerPoint
11 presentation regarding Water Quality Challenges.
12

13 Mr. Garcia referred to the Board packet materials which included a September 13, 2022
14 CCWA PowerPoint presentation regarding a series of water quality issues affecting State
15 Water Project (SWP) deliveries that began in July of this year. Those issues included
16 ongoing nitrification within CCWA's coastal branch pipeline, a prolonged MIB event, and
17 a mechanical breakdown that temporarily interrupted deliveries from the Department of
18 Water Resources (DWR) to the Polonio Pass Treatment Plant. Mr. Garcia reported that
19 the water quality issues involving nitrification and MIB have seriously impacted ID No.1's
20 ability to take SWP deliveries, and that he has met several times with Ray Stokes and John
21 Brady of CCWA to address these matters and explore solutions. He also praised the
22 CCWA team for their extraordinary efforts in responding to the interruption of service
23 from DWR.
24

25 2. Aquaterra Water Bank Proposal

26 The Board packet included a September 29, 2022 CCWA Staff Report, Aquaterra Water
27 Bank Presentation, and Draft Aquaterra Water Bank Subscription Agreement.
28

29 Mr. Garcia referred to the Board packet materials and discussed a new water banking
30 program called the Aquaterra Water Bank, which has been introduced to CCWA by
31 CCWA's consultant Provost and Prichard and the McMillian Area Groundwater
32 Sustainability Agency. He indicated that the Aquaterra Water Bank is in the process of
33 identifying potential participants in the project and that all CCWA participants will have
34 an opportunity to review the details of the program and determine if they are interested.
35 Board discussion ensued related to potential pros and cons of participating in this type of
36 water banking program.
37

38 Mr. Garcia stated that an additional presentation of the Aquaterra Water Bank will be
39 provided at the CCWA Board meeting on October 27, 2022, and that CCWA member
40 agencies who are interested in participating may need to make initial commitments in the
41 early months of 2023.
42

43 C. CACHUMA PROJECT

44 1. Initial Cachuma Project Allocation for Federal Water Year 2022-2023

45 The Board packet included correspondence from the United States Bureau of Reclamation
46 (USBR) regarding the Cachuma Project Allocation for Water Year 2022-2023
47

48 Mr. Garcia reported that the Cachuma Project Member Units recently received a response
49 to their joint letter requesting at 14 percent Cachuma Project allocation for federal Water
50 Year 2022-2023. He indicated that by letter dated September 1, 2022, USBR has issued an
51 initial zero percent Cachuma Project allocation for the 2022-2023 water year which began

1 October 1, 2022. Mr. Garcia stated that the allocation is based on very conservative
2 modeling assumptions by USBR and that the allocation could be adjusted upward if
3 favorable hydrologic and reservoir conditions materialize in the coming winter months.
4

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

8 The Board packet included a September letter from Aquapulse regarding their notice of price
9 increase in chemical costs, a September ACWA Advisory regarding a recent decision by the
10 California Supreme Court under the California Endangered Species Act, an October 12, 2022 Los
11 Olivos Community Services District Meeting Agenda, and the October 2022 Family Farm Alliance
12 Monthly Briefing.
13

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

15 The Correspondence List was received by the Board.
16

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

18 There were no requests from the Board.
19

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

21 President Clay stated that the next Regular Meeting of the Board of Trustees is scheduled for
22 November 15, 2022 at 3:00 p.m.
23

24 **15. CLOSED SESSION:**

25 The Board adjourned to closed session at 5:06 p.m.
26

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

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

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

37 **16. RECONVENE INTO OPEN SESSION**

38 [Sections 54957.1 and 54957.7 of the Government Code]
39

40 The public participation phone line was re-opened, and the Board reconvened to open session at
41 approximately 5:42 p.m.
42

43 Mr. Garcia announced that the Board met in closed session concerning Agenda Items 15.A.1 and
44 15.A.2, and that there was no reportable action from closed session.
45

46 **17. ADJOURNMENT**

47 Being no further business, it was **MOVED** by Trustee Joos, seconded by Trustee Burchardi, and
48 carried by a 3-0-0 roll call vote, with Trustees Holzer and Parker absent at the time of the vote, to
49 adjourn the meeting at approximately 5:43p.m.
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RESPECTFULLY SUBMITTED,

DRAFT

Mary Martone, Secretary to the Board

DRAFT

ATTEST: _____
Jeff Clay, President

MINUTES PREPARED BY:

DRAFT

Karen King, Board Administrative Assistant

**BOARD OF TRUSTEES
SANTA YNEZ RIVER WATER CONSERVATION DISTRICT,
IMPROVEMENT DISTRICT NO.1
November 15, 2022**

Consent Agenda Report

CA-1. Water Supply and Production Report. Total water production in **October 2022 (352 AF)** was 101 AF less than total production in September (453 AF), very close to the most recent 3-year running average (2019-2021) for the month of **October** (361 AF), and 52 AF less than the most recent 10-year running average (2012-2021) for the month of **October** (404 AF). These recent and long-term averages for the month of **October** illustrate that generally the District's overall demands and total production have been trending well below historic levels for domestic, rural residential, and agricultural water deliveries due to water conservation, changing water use patterns, and private well installations.

For the month of **October**, approximately **153 AF** was produced from the Santa Ynez Upland wells, and approximately **73 AF** was produced from the 4.0 cfs and 6.0 cfs well fields in the Santa Ynez River alluvium. In addition, as reflected in the Monthly Water Deliveries Report from the Central Coast Water Authority (CCWA), the District took approximately **126 AF** of SWP supplies for the month, all of which was allocated as exchange deliveries. Direct diversions to the County Park and USBR were **1.62 AF**.

The USBR Daily Operations Report for Lake Cachuma in **October** (ending October 31, 2022) recorded the end of month lake elevation at **693.78'** with the end of month storage of **62,655 AF**. USBR recorded total precipitation at the lake of **0.03 inches in October**. For the month, reservoir storage was supplemented with **159.3 AF** of SWP deliveries for South Coast entities. Reservoir evaporation in **October** was **455.0 AF**.

Based on the **updated maximum storage capacity of 192,978 AF** (previously 193,305 AF), Cachuma reservoir currently (as of **November 9, 2022**) is at approximately **31.8%** of capacity, with current storage of **61,309 AF** (Santa Barbara County Flood Control District, Rainfall and Reservoir Summary). At a point when reservoir storage exceeds 100,000 AF, the Cachuma Member Units typically have received a full allocation. Conversely, a 20% pro-rata reduction from the full allocation is scheduled to occur in Water Years beginning at less than 100,000 AF, where incremental reductions may occur (and previously have occurred) at other lower storage levels. For the federal WY 2021-2022 (October 1, 2021 through September 30, 2022), the Cachuma Member Units jointly requested an allocation of approximately 83% of the Project's annual operational yield of 25,714 AF. By letter dated September 24, 2021, USBR issued a 70% allocation decision for WY 2021-2022, which equates to 18,000. ID No.1's 10.31% share of this allocation amounts to 1,855 AF (current water year balance is approximately 1,727 AF). In addition to its 2021-2022 allocation, ID No.1 currently holds approximately 2,122 AF of previous years carryover water in the reservoir, subject to evaporation. **By letter dated September 1, 2022, the Cachuma Member Units submitted a joint letter to the County Water Agency and USBR requesting a Cachuma Project allocation of 3,644 AF for federal WY 2022-2023, which would translate to a 14% allocation. By letter dated September 30, 2022, USBR responded with an initial 0% Cachuma Project allocation for WY 2022-2023.**

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

NMFS 2000 Biological Opinion

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

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

SWRCB Order WR 2019-0148

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

For the month of October, Cachuma Project water releases for fish were 213.1 AF to Hilton Creek and approximately 300 AF to the outlet works. Notably, the remaining water rights releases in October (ending October 5th) were used conjunctively to satisfy a portion of the BiOp and State Board Order requirements for fishery protection. As of the end of October 2022, a total of approximately 48,860.3 AF of Cachuma Project water has been released under regulatory requirements for the protection of fish and fish habitat below Bradbury Dam since the year after the last spill in 2011.

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

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

As reflected in the enclosed Agenda for the October 27, 2022 CCWA Board of Directors meeting, CCWA remains engaged in a variety of matters relating to the SWP, including but not limited to: SWP supplies and ongoing drought conditions; SWP operations; the 2022 Supplemental Water Purchase Program; the Aquaterra Water Bank proposal; water quality challenges and plans to mitigate future water quality issues; and pending litigation against the Santa Barbara County Flood Control and Water Conservation District. The CCWA Board of Directors is not scheduled to meet in November or December of 2022.

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



— BUREAU OF —
RECLAMATION

Historical Archive and R

Lake Cachuma Daily Op

Run D

October 2022

DAY	ELEV	STORAGE ACRE-FEET		COMPUTED* INFLOW AF.	CCWA INFLOW AF.	PRECIP ON		RELEASE - AF.			EVAPORATION		PRECIP INCHES
		IN LAKE	CHANGE			RES. SURF. AF.	TUNNEL	HILTON CREEK	OUTLET	SPILLWAY	AF.	INCH	
	695.65	65,436											
1	695.56	65,301	-135	-27.6	23.9	0.0	57.2	6.9	50.6	0.6	16.0	0.170	0.00
2	695.50	65,211	-90	13.6	23.7	0.0	64.2	6.9	40.6	0.6	15.0	0.160	0.00
3	695.44	65,121	-90	9.2	23.5	0.0	64.6	6.8	35.7	0.6	15.0	0.160	0.00
4	695.35	64,987	-134	-31.1	5.8	0.0	62.5	6.9	24.6	0.6	14.1	0.150	0.00
5	695.31	64,927	-60	44.0	5.8	0.0	71.8	6.9	14.6	0.6	15.9	0.170	0.00
6	695.23	64,807	-120	0.6	5.8	0.0	85.8	6.8	11.7	0.6	21.5	0.230	0.00
7	695.16	64,702	-105	15.5	5.9	0.0	85.7	7.0	12.5	0.6	20.6	0.220	0.00
8	695.07	64,553	-149	-26.6	5.9	0.0	89.5	6.9	12.6	0.6	18.7	0.200	0.00
9	695.00	64,463	-90	25.2	5.9	0.0	85.1	6.9	12.6	0.6	15.9	0.170	0.00
10	694.95	64,388	-75	5.5	5.9	0.0	51.4	6.9	12.6	0.6	14.9	0.160	0.00
11	694.90	64,313	-75	2.4	5.9	0.0	49.2	6.9	13.6	0.6	13.0	0.140	0.00
12	694.85	64,239	-74	-0.4	5.9	0.0	48.2	6.9	12.6	0.6	11.2	0.120	0.00
13	694.79	64,149	-90	-9.5	5.9	0.0	53.3	7.0	12.5	0.6	13.0	0.140	0.00
14	694.74	64,074	-75	2.4	5.9	0.0	52.1	6.8	12.6	0.6	11.2	0.120	0.00
15	694.70	64,014	-60	15.7	5.9	1.2	51.6	6.7	12.7	0.6	11.2	0.120	0.01
16	694.64	63,925	-89	-14.2	5.9	0.0	52.3	6.8	12.6	0.6	8.4	0.090	0.00
17	694.60	63,865	-60	23.3	6.0	0.0	52.5	7.0	12.5	0.6	16.7	0.180	0.00
18	694.54	63,777	-88	-9.7	5.8	0.0	52.9	6.9	12.6	0.6	11.1	0.120	0.00
19	694.51	63,732	-45	29.4	0.0	0.0	46.5	6.8	4.7	0.6	15.8	0.170	0.00
20	694.46	63,659	-73	14.1	0.0	0.0	57.4	6.9	4.6	0.6	17.6	0.190	0.00
21	694.37	63,526	-133	-22.5	0.0	0.0	73.2	6.9	7.6	0.6	22.2	0.240	0.00
22	694.31	63,437	-89	13.6	0.0	2.5	78.1	6.9	6.6	0.6	12.9	0.140	0.02
23	694.22	63,305	-132	-26.8	0.0	0.0	80.0	6.9	7.6	0.6	10.1	0.110	0.00
24	694.13	63,172	-133	-30.8	0.0	0.0	73.4	6.8	6.7	0.6	14.7	0.160	0.00
25	694.11	63,142	-30	28.7	0.0	0.0	26.1	6.9	7.6	0.6	17.5	0.190	0.00
26	694.08	63,083	-59	-5.5	0.0	0.0	24.7	6.8	6.7	0.6	14.7	0.160	0.00
27	694.01	62,995	-88	-35.4	0.0	0.0	24.7	6.8	6.7	0.6	13.8	0.150	0.00
28	693.97	62,936	-59	22.7	0.0	0.0	54.7	6.9	7.6	0.6	11.9	0.130	0.00
29	693.91	62,847	-89	2.9	0.0	0.0	67.6	6.9	7.6	0.6	9.2	0.100	0.00
30	693.83	62,729	-118	-23.5	0.0	0.0	65.7	6.8	6.7	0.6	14.7	0.160	0.00
31	693.78	62,655	-74	25.6	0.0	0.0	68.0	6.9	7.6	0.6	16.5	0.180	0.00
TOTALS			-2,781	30.8	159.3	3.7	1,870.0	213.1	418.1	18.6	455.0	4.900	0.03
AVERAGE		63,937											

Comments: *Computed inflow is the sum of change in storage, releases and evaporation minus precip on the reservoir surface and ccwa inflow.
Indicated outlet release includes leakage from outlet valves and spillway gates.
Data based on a 24 hour period ending 0800.



Santa Barbara County - Flood Control District

130 East Victoria Street, Santa Barbara CA 93101 - 805.568.3440 - www.countyofsb.org/pwd

Rainfall and Reservoir Summary

Updated 8am: 11/9/2022

Water Year: 2023

Storm Number: 5

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 3day(s)	Month	Year*	% to Date	% of Year*	AI
Buellton (Fire Stn)	233	0.89	1.45	1.55	1.75	152%	11%	
Cachuma Dam (USBR)	332	1.02	1.43	1.49	1.51	124%	8%	
Carpinteria (Fire Stn)	208	0.58	0.82	0.83	1.20	97%	7%	
Cuyama (Fire Stn)	436	0.71	0.89	0.93	1.11	148%	15%	
Figueroa Mtn. (USFS Stn)	421	1.44	2.22	2.55	3.33	194%	16%	9.9
Gibraltar Dam (City Facility)	230	1.65	2.29	2.35	2.52	181%	10%	10.3
Goleta (Fire Stn-Los Carneros)	440	0.52	1.02	1.03	1.19	95%	7%	
Lompoc (City Hall)	439	0.58	0.99	1.08	3.42	341%	24%	9.5
Los Alamos (Fire Stn)	204	0.87	1.39	1.55	2.16	220%	14%	
San Marcos Pass (USFS Stn)	212	1.71	3.19	3.25	3.81	170%	11%	
Santa Barbara (County Bldg)	234	1.22	1.77	1.81	2.08	167%	11%	
Santa Maria (City Pub.Works)	380	0.55	0.68	0.75	2.97	289%	22%	
Santa Ynez (Fire Stn /Airport)	218	0.79	1.33	1.36	1.41	135%	9%	
Sisquoc (Fire Stn)	256	0.45	0.65	0.71	1.79	162%	12%	

County-wide percentage of "Normal-to-Date" rainfall : 177%

County-wide percentage of "Normal Water-Year" rainfall : 13%

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

AI (Antecedent Index / Soil Wetness)

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

Reservoirs

Reservoir Elevations referenced to NGVD-29.
 **Cachuma is full and subject to spilling at elevation 750 ft. However, the lake is surcharged to 753 ft. for fish release water. (Cachuma water storage is based on Dec 2013 capacity revision)

Click on Site for Real-Time Readings	Spillway Elev. (ft)	Current Elev. (ft)	Max. Storage (ac-ft)	Current Storage (ac-ft)	Current Capacity (%)	Storage Change Mo.(ac-ft)	Storage Change Year*(ac-ft)
<u>Gibraltar Reservoir</u>	1,400.00	1,378.59	4,693	945	20.1%	17	-355
<u>Cachuma Reservoir</u>	753.**	693.47	192,978	61,309	31.8%	-346	-9,361
<u>Jameson Reservoir</u>	2,224.00	2,202.88	4,848	2,592	53.5%	-15	-234
<u>Twitchell Reservoir</u>	651.50	NA	194,971	NA		NA	NA

CIMIS Daily Report

Rendered in ENGLISH Units.

Saturday, October 1, 2022 - Monday, October 31, 2022

Printed on Tuesday, November 1, 2022

Santa Ynez - Central Coast Valleys - Station 64

Date	ETo (in)	Precip (in)	Sol Rad (Ly/day)	Avg Vap Pres (mBars)	Max Air Temp (°F)	Min Air Temp (°F)	Avg Air Temp (°F)	Max Rel Hum (%)	Min Rel Hum (%)	Avg Rel Hum (%)	Dew Point (°F)	Avg Wind Speed (mph)	Wind Run (miles)	Avg Soil Temp (°F)
10/1/2022	0.14	0.00	443	16.1	80.5	51.8	64.3	100	47	78	57.4	2.8	67.8	80.1 Y
10/2/2022	0.11	0.00	367	14.5	80.0	47.2	62.6	98	46	75	54.4	2.4	58.6	79.9 Y
10/3/2022	0.15	0.00	482	13.6	82.9	42.6	60.2	100	43	77	52.8	2.6	62.8	79.4 Y
10/4/2022	0.15	0.00	467	14.9	86.0	50.1	63.8	100	37	74	55.3	2.7	64.5	79.0 Y
10/5/2022	0.16	0.00	465	15.4	94.7	51.5	66.5	100	27	69	56.1	2.5	59.9	78.9 Y
10/6/2022	0.15	0.00	448	14.5	93.6	49.9	64.5	100	25	70	54.5	2.5	59.0	78.9 Y
10/7/2022	0.15	0.00	453	14.9	93.5	53.8	66.1	100	26	68	55.3	2.7	65.9	78.9 Y
10/8/2022	0.14	0.00	445	15.1	88.0	50.7	63.3	100	40	76	55.6	2.5	59.0	78.8 Y
10/9/2022	0.13	0.00	406	15.7	83.1	54.2	62.6	100	46	81	56.7	2.6	62.4	78.7 Y
10/10/2022	0.12	0.00	387	16.3	79.1	55.4	63.4	100	55	82	57.7	2.8	66.5	78.4 Y
10/11/2022	0.10	0.00	347	16.7	79.9	52.9	62.7	100	57	86	58.4	2.4	57.6	78.2 Y
10/12/2022	0.11	0.00	346	17.0	80.8	57.7	64.6	100	50	82	58.8	2.8	66.7	77.9 Y
10/13/2022	0.12	0.00	400	16.0	80.9	54.2	62.9	100	51	82	57.2	2.7	65.3	77.7 Y
10/14/2022	0.11	0.00	384	16.5	76.6	54.7	62.6	100	62	85	58.0	2.6	62.2	77.5 Y
10/15/2022	0.04	0.00	181	17.7	75.5	59.4 Y	63.8	100	62	87	60.0	2.4	58.1	77.4 Y
10/16/2022	0.09	0.00	323	15.1	77.7	46.3	62.2	98	54	79	55.7	2.1	50.6	77.0 Y
10/17/2022	0.12 R	0.00	407	13.5	82.6	43.0	59.6	100	41	77	52.5	2.0	47.1	76.7 Y
10/18/2022	0.15	0.00	423	12.6	96.0	42.3	64.6	100	20	61	50.7	2.2	53.5	76.4 Y
10/19/2022	0.15	0.00	402	11.4	97.5	45.8	69.2 Y	98	16	47 Y	48.0 Y	2.3	54.7	76.3 Y
10/20/2022	0.16 R	0.00	425	11.4	95.1	49.7	69.6 Y	87	18	46 Y	47.9 Y	2.4	58.7	76.4 Y
10/21/2022	0.13	0.00	405	14.4	87.6	49.0	61.3	100	35	78	54.2	2.4	57.3	76.5 Y
10/22/2022	0.05	0.00	199	14.8	72.0	50.6	60.0	100	58	84	55.1	2.9	69.7	76.3 Y
10/23/2022	0.13	0.00	423	8.6	79.0	38.1	56.3	100	15	56	40.7	2.6	63.6	75.6 Y
10/24/2022	0.12 R	0.00	414	6.9	80.5	34.4	54.8	93	15	47	34.9	1.9	45.4	74.8 Y
10/25/2022	0.12 R	0.00	406	9.2	81.9	36.0	55.7	96	24	61	42.3	2.5	59.5	74.2 Y
10/26/2022	0.10	0.00	377	11.1	74.8	40.3	55.5	100	41	74	47.2	2.3	56.0	73.7 Y
10/27/2022	0.12	0.00	396	10.1	81.3	34.8	54.6	99	30	70	44.9	2.0	48.0	73.3
10/28/2022	0.09	0.00	335	10.2	77.6	35.2	53.3	100	34	73	45.0	2.1	50.3	72.8
10/29/2022	0.11	0.00	384	10.4	84.3	41.1	56.7	100	28	66	45.6	2.3	55.5	72.3
10/30/2022	0.12	0.00	393	10.3	83.4	35.0	56.4	100	21	66	45.3	2.2	53.9	72.0
10/31/2022	0.06	0.00	229	12.3	75.8	44.3	57.4	100	35	76	50.0	1.9	46.1	71.8
Tots/Avgs	3.70	0.00	386	13.5	83.3	46.8	61.3	99	37	72	51.9	2.4	58.3	76.6

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



CENTRAL COAST WATER AUTHORITY

MEMORANDUM

TO: Ray Stokes, Executive Director
Dessi Mladenova, Controller

FROM: Christine Forsyth, Administrative Assistant

SUBJECT: Monthly Water Deliveries

November 8, 2022

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

<u>Project Participant</u>	<u>Delivery Amount (acre-feet)</u>
Chorro	168.49
López.....	175.88
Shandon.....	0.00
Guadalupe.....	0.75
Santa Maria.....	21.26
Golden State Water Co.....	0.42
Vandenberg.....	0.00
Buellton	30.60
Solvang	10.35
Santa Ynez ID#1	120.72
Bradbury.....	144.98
TOTAL	673.45

In order to reconcile these deliveries with the DWR revenue meter, which read 695 acre-feet, the following delivery amounts should be used for billing purposes:

<u>Project Participant</u>	<u>Delivery Amount (acre-feet)</u>
Chorro	175
López	183
Shandon.....	0
Guadalupe.....	1
Santa Maria	17*
Golden State Water Co	5*
Vandenberg	0
Buellton	32
Solvang	11
Santa Ynez ID#1	126
Bradbury	145
TOTAL	695

*Golden State Water Company delivered 5 acre-feet into its system through the Santa Maria turnout. This delivery is recorded by providing a credit of 5 acre-feet to the City of Santa Maria and a charge in the same amount to the Golden State Water Company.

Notes: Santa Ynez ID#1 water usage is divided into 0 acre-feet of Table A water and 126 acre-feet of exchange water.

The exchange water is allocated as follows

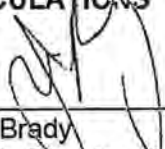
<u>Project Participant</u>	<u>Exchange Amount (acre-feet)</u>
Goleta	46
Santa Barbara	30
Montecito	30
Carpinteria	<u>20</u>
TOTAL	126

Bradbury Deliveries into Lake Cachuma are allocated as follows:

<u>Project Participant</u>	<u>Delivery Amount (acre-feet)</u>
Carpinteria	0
Goleta	92
La Cumbre	44
Montecito	0
Morehart	9
Santa Barbara	0
Raytheon	<u>0</u>
TOTAL	145

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

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



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



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

will be held at 9:00 a.m., on Thursday, October 27, 2022
via URL: https://meetings.ringcentral.com/j/1470333496
or via telephone by dialing 1(623) 404-9000 and entering code 147 033 3496 #

In response to the spread of the COVID-19 virus, Governor Newsom declared a state of emergency which directly impacts the ability of legislative bodies and the public to meet safely in person. To help minimize the potential spread of the COVID-19 virus, the CCWA Board of Directors shall consider whether to hold this public meeting telephonically pursuant to the requirements of Government Code section 54953(e), as amended by Assembly Bill 361 (2021). The CCWA Board of Directors and public will participate in this meeting by video call or telephone.

Eric Friedman
Chairman

Jeff Clay
Vice Chairman

Ray A. Stokes
Executive Director

Brownstein Hyatt
Farber Schreck
General Counsel

Member Agencies

City of Buellton

Carpinteria Valley
Water District

City of Guadalupe

City of Santa Barbara

City of Santa Maria

Goleta Water District

Montecito Water District

Santa Ynez River Water
Conservation District,
Improvement District #1

Associate Member

La Cumbre Mutual
Water Company

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

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

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

I. Call to Order and Roll Call

II. * Resolution No. 22-14 of the Board of Directors of the Central Coast Water Authority Authorizing Remote Teleconference Meetings of the Board of Directors And All Subordinate Bodies Under the Ralph M. Brown Act

Staff Recommendation: Adopt Resolution No. 22-14 of the Board of Directors of the Central Coast Water Authority Authorizing Remote Teleconference Meetings of the Board of Directors and All Subordinate Bodies under the Ralph M. Brown Act.

III. CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Government Code section 54956.9(d) (1)
Name of case: Central Coast Water Authority, et al. v. Santa Barbara County Flood Control and Water Conservation District, et al. (Case No. 21CV02432)

B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Government Code section 54956.8
Property: Aquaterra Water Bank
Agency negotiator: Ray Stokes
Negotiating parties: CCWA and McMullin Area Groundwater Sustainability Agency

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

IV. Return to Open Session

A. Report on Closed Session Actions (if any)

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

- * Indicates attachment of document to original agenda packet.
• Indicates enclosure of document with agenda packet.
★ Documents will be posted at CCWA.com prior to the meeting.

Continued
[Signature]
#50116_1

- V. **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 three minutes; all speakers to a total of fifteen minutes.)**

- VI. **Consent Calendar – For Approval**
 - * A. Minutes of the September 22, 2022 Regular Meeting
 - * B. Bills
 - * C. Controller’s Report
 - * D. Operations Report
 - * E. Ratification of Field Promotion and New Position: Lead Maintenance Technician
Staff Recommendation: Approve the Consent Calendar

- VII. **Executive Director’s Report**
 - A. Water Supply Situation Report
Staff Recommendation: Informational item only.
 - B. 2022 Supplemental Water Purchase Program Update
Staff Recommendation: Informational item only.
 - * C. 2023 Supplemental Water Purchase Program – *For Approval*
Staff Recommendation: Approve initiation of the Supplemental Water Purchase Program for 2023
 - * D. Aquaterra Water Bank
Staff Recommendation: Informational item only.
 - * E. 2022 Water Quality Challenges and Plans to Mitigate Future Water Quality Issues – *For Approval*
Staff Recommendation: Forthcoming.
 - ♦ F. Finance Committee
 - 1. FY 2022/23 First Quarter Investment Report – *For Approval*
Staff Recommendation: Approve the First Quarter FY 2022/23 Investment Report.
 - G. State Water Contractors Update
Staff Recommendation: Informational item only.

- VIII. **Reports from Board Members for Information Only**

- IX. **Items for Next Regular Meeting Agenda**

- X. **Date of Next Regular Meeting: January 26, 2023**
(Consider canceling the November and December regular meetings)

- XI. **Adjournment**

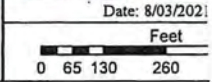


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Notes: CCS Zone V, NAD 1983
 2016 SB Co Parcel Map
 Image-2017
 1 inch = 250 feet

Santa Ynez River Water Conservation District, ID No.1
 APN 135-330-003 at 2905 Bramadero Rd.



Agenda Item 9. A. 2. a.

NOTICE AND AGENDA OF REGULAR MEETING

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

**REGULAR MEETING WILL BE HELD
REMOTE PARTICIPATION ONLY
AT 06:30 P.M., THURSDAY, NOVEMBER 17, 2022**

Remote public participation available via ZOOM

The public can only participate via teleconference. There will be no public meeting location.

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

“Join a Meeting” - Meeting ID: 883 9745 5126 - Meeting Passcode: 313001

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

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

Important Notice Regarding Public Participation in Video/Teleconference Meeting: Those who wish to provide public comment on an Agenda Item, or who otherwise are making a presentation to the GSA Committee, may participate in the meeting using the remote access referenced above. **Those wishing to submit written comments instead, please submit any and all comments and materials to the GSA via electronic mail at bbelow@syrwcd.com.** All submittals of written comments must be received by the GSA no later than **Wednesday, November 16, 2022**, and should indicate **“November 17, 2022 GSA Meeting”** in the subject line. To the extent practicable, public comments and materials received in advance pursuant to this timeframe will be read into the public record during the meeting. Public comments and materials not read into the record will become part of the post-meeting materials available to the public and posted on the SGMA website.

AGENDA ON NEXT PAGE

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

THURSDAY, NOVEMBER 17, 2022, 6:30 P.M.

AGENDA OF REGULAR MEETING

- I. Call to Order and Roll Call
- II. Consider findings under Government Code section 54953(e) to authorize continuing teleconference meetings under Resolution EMA-2021-001
- III. Additions or Deletions to the Agenda
- IV. Public Comment (Any member of the public may address the Committee relating to any non-agenda matter within the Committee's jurisdiction. The total time for all public participation shall not exceed fifteen minutes and the time allotted for each individual shall not exceed five minutes. No action will be taken by the Committee at this meeting on any public comment item.) *Staff recommends any potential new agenda items based on issues raised be held for discussion under Agenda Item "EMA GSA Committee requests and comments" for items to be included on the next Agenda.*
- V. Review and summary of Request(s) for EMA GSA Written Verification under Executive Order N-7-22 and other well permits processed by County EHS in the EMA.
- VI. Review and Consider Approval of Request(s) for EMA GSA Written Verification under Executive Order N-7-22 for the following parcel(s):
 - APN: 135-270-015 for WP 0005268 (For Committee Approval)
 - APN: 141-100-033 for WP 0005347(For Staff Approval)
 - APN: 137-070-021 for WP 0005319 (For Staff Approval)
- VII. Update and briefing on SGMA round 2 implementation grant funding opportunity and review and consider approval of EMA GSP implementation projects and management actions.
- VIII. Review and consider approving Resolution EMA 2022-004 authorizing the Santa Ynez River Water Conservation District to submit a Proposition 68 Grant application for implementation of SGMA on behalf of the Santa Ynez River Valley Groundwater Basin.
- IX. Next Special EMA GSA Meeting, Thursday, December 15, 2022, at 6:30 p.m.
- X. EMA GSA Committee reports and requests for future agenda items
- XI. Adjournment

[This agenda was posted 24 hours prior to the scheduled special meeting at 3669 Sagunto Street, Suite 101, Santa Ynez, California, and <https://www.santaynezwater.org> in accordance with Government Code Section 54954. In compliance with the Americans with Disabilities Act, if you need special assistance to review agenda materials or participate in this meeting, please contact the Santa Ynez River Water Conservation District at (805) 693-1156. Advanced notification as far as practicable prior to the meeting will enable the GSA to make reasonable arrangements to ensure accessibility to this meeting.]

RESOLUTION NO. XXX

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE
SANTA YNEZ RIVER WATER CONSERVATION DISTRICT, IMPROVEMENT DISTRICT NO.1
APPROVING THE AUTOMATIC ANNUAL ADJUSTMENTS TO THE CAPITAL FACILITIES CHARGES
AND METER INSTALLATION FEES CONTAINED IN APPENDIX "C" AND APPENDIX "D"
OF THE DISTRICT'S RULES AND REGULATIONS**

WHEREAS, the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 ("District"), is empowered to prescribe, revise, and collect charges and costs for services and facilities funded by the District; and

WHEREAS, a capital facilities charge is a critical component of the District's overall financing plan; and

WHEREAS, State law (Government Code § 66000 et seq.) requires that a reasonable relationship exist between the amount of a capital facilities charge and the costs of associated public facilities; and

WHEREAS, the District and the vast majority of water agencies throughout California require that new water users and those requesting new or expanded levels of service pay the costs of facilities needed to serve them; and

WHEREAS, the alternative to collecting charges and costs from new development and water users requesting new or expanded levels of service would be raising charges and costs paid by current water users, which is not equitable; and

WHEREAS, revenues from capital facilities charges are available to and used by the District to pay for new facilities and the proportionate costs of system improvements and expansions needed to serve and otherwise accommodate new and expanded water uses within the District's system; and

WHEREAS, capital facilities and meter installation charges are collected during the period when a new use or expanded level of use or service is requested from the District; and

WHEREAS, on October 19, 1993, the District Board approved Resolution No. 422 adopting and establishing the capital facilities and meter installation charges and provided that each year on January 1, the capital facilities charges shall be automatically adjusted by an increment based on the change in the Engineering News Record (ENR) Construction Cost Index (20 cities average) from a base index of 5167; and

WHEREAS, pursuant to Section 603 and Section 709 of the District's Rules and Regulations, the District's capital facilities and installation charges relating to water service connections and meters shall be automatically adjusted each year on January 1 by an increment based on the change in the ENR Construction Cost Index to reflect actual costs of installation labor, parts, materials, and equipment; and

WHEREAS, the ENR Construction Cost Index is 13,168 as of October 2022.

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

1. That APPENDIX "C" Installation and Capital Facilities Charges Pursuant to Article 6, Section 603 of the District's Rules and Regulations, as attached hereto and approved herein, be attached to the District's Rules and Regulations, effective on January 1, 2023; and,
2. That APPENDIX "D" Capital Facilities Charges and Meter Installation Fees for Services from Main Extensions Pursuant to Article 7, Section 709 of the District's Rules and Regulations, as attached hereto and approved herein, be attached to the District's Rules and Regulations, effective on January 1, 2023.

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

Jeff Clay, President

APPENDIX "C"

**INSTALLATION AND CAPITAL FACILITIES CHARGES
PURSUANT TO ARTICLE 6, SECTION 603**

(Effective January 1, 2023)

<u>Lot Size</u>	<u>Minimum Meter Size</u>	<u>Maximum Flow Rate</u>	<u>Ratio to 5/8" meter</u>	<u>Capital Facilities Charge</u>	<u>Installation Charge</u>
10,000 sq. ft.	5/8"	20	1.0	\$ 4,765.69	The meter and service installation charge shall equal
>10,000 sq. ft. to 1 acre	3/4"	30	1.2	\$ 5,718.83	
>1 to 3 acres	1"	50	2.0	\$ 9,531.38	the cost of installation as determined by the District from time to time
>3 to 10 acres	1½ "	100	4.0	\$ 19,062.76	
>10 acres	2"	160	6.4	\$ 30,500.40	
	3"	350	12.8	\$ 61,000.81	
	4"	1,000	18.0	\$ 85,782.38	
	6"	2,000	40.0	\$190,627.52	
	8"	3,500	64.0	\$305,004.10	

For parcels with multiple Domestic or Rural Residential meters, the meter sizes (e.g. 5/8" and 1" inch) may be added to result in a combined equivalent size that satisfies the minimum meter size requirements.

APPENDIX "D"

**CAPITAL FACILITIES CHARGES AND METER INSTALLATION FEES
FOR SERVICES FROM MAIN EXTENSIONS
PURSUANT TO ARTICLE 7, SECTION 709**

(Effective January 1, 2023)

<u>Lot Size</u>	<u>Minimum Meter Size</u>	<u>Capital Facilities Charge</u>	<u>Meter Installation Fee</u>	<u>Total</u>
10,000 Sq. Ft.	5/8"	\$4,765.69	\$594.33	\$5,360.02
>10,000 to 1 acre	3/4"	\$5,718.83	\$621.27	\$6,340.10
>1 to 3 acres	1"	\$9,531.38	\$726.86	\$10,258.24
>3 to 10 acres	1-1/2"	\$19,062.76	\$1,311.95	\$20,374.71
> 10 acres	2"	\$30,500.40	\$1,626.58	\$32,126.98
	3"	\$61,000.81	\$3,802.05	\$64,802.86
	4"	\$85,782.38	\$4,534.75	\$90,317.13

APPENDIX "C"

**INSTALLATION AND CAPITAL FACILITIES CHARGES
PURSUANT TO ARTICLE 6, SECTION 603**

(Effective January 1, 2022)

<u>Lot Size</u>	<u>Minimum Meter Size</u>	<u>Maximum Flow Rate</u>	<u>Ratio to 5/8" meter</u>	<u>Capital Facilities Charge</u>	<u>Installation Charge</u>
10,000 sq. ft.	5/8"	20	1.0	\$ 4,510.90	The meter and service installation charge shall equal
>10,000 sq. ft. to 1 acre	3/4"	30	1.2	\$ 5,413.08	
>1 to 3 acres	1"	50	2.0	\$ 9,021.81	the cost of installation as determined by the District from time to time
>3 to 10 acres	1½ "	100	4.0	\$ 18,043.61	
>10 acres	2"	160	6.4	\$ 28,869.77	
	3"	350	12.8	\$ 57,739.55	
	4"	1,000	18.0	\$ 81,196.23	
	6"	2,000	40.0	\$180,436.07	
	8"	3,500	64.0	\$288,697.78	

For parcels with multiple Domestic or Rural Residential meters, the meter sizes (e.g. 5/8" and 1" inch) may be added to result in a combined equivalent size that satisfies the minimum meter size requirements.

APPENDIX "D"

**CAPITAL FACILITIES CHARGES AND METER INSTALLATION FEES
FOR SERVICES FROM MAIN EXTENSIONS
PURSUANT TO ARTICLE 7, SECTION 709**

(Effective January 1, 2022)

<u>Lot Size</u>	<u>Minimum Meter Size</u>	<u>Capital Facilities Charge</u>	<u>Meter Installation Fee</u>	<u>Total</u>
10,000 Sq. Ft.	5/8"	\$4,510.90	\$480.45	\$4,991.35
>10,000 to 1 acre	3/4"	\$5,413.08	\$506.31	\$5,919.39
>1 to 3 acres	1"	\$9,021.81	\$582.81	\$9,604.62
>3 to 10 acres	1-1/2"	\$18,043.61	\$1,139.53	\$19,183.14
> 10 acres	2" STD	\$28,869.77	\$1,382.68	\$30,252.45
	2" CPBM	\$28,869.77	\$2,236.42	\$31,106.19
	3" STD	\$57,739.55	\$2,197.63	\$59,937.18
	3" CPBM	\$57,739.55	\$3,372.83	\$61,112.37



November 2022
Issue No. 245 14 Pages

Monthly Briefing

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

Advancing the Water Shortage & Food Security Message

With the current backdrop of severe drought conditions in the Western U.S., significantly inflated food costs, global food supply challenges, and a looming global famine, there has never been a more important time to protect American food production.

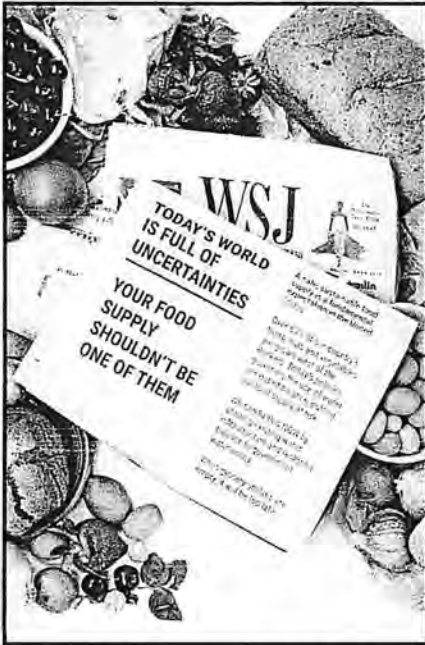
In a campaign aimed at publicizing the threat to the nation's food supply, the California Farm Water Coalition (CFWC) partnered with the Family Farm Alliance and Klamath Project irrigators to show consumers how water policies are contributing to food shortages and rising prices.

Beginning April 2 with a full-page ad in the Wall Street Journal, the campaign progressed over the summer with paid social media posts aimed at consumers aged 18 to 44. Ads were written to inform readers that food supplies are at risk and that prices are expected to rise, which they did- to record levels.

Readers were also encouraged to click a link to learn more at a special landing page on the CFWC web site with information on the connection between water and food security.

To date, the campaign has generated over 7 million impressions with almost 210,000 people clicking the link to visit the web site, where major points were made with supporting information.

"This campaign has been a huge success by helping drive the public discussion on the risk to our nation's food supply through policies that deny water to our farms," said CFWC Executive Director Mike Wade. "We will continue hitting this issue through the election and beyond, with the goal of holding elected officials and government appointees accountable for their actions."



Taking it to the Streets

Alliance and CFWC spokespersons are taking their message across the West. Mr. Keppen delivered the keynote address last month at the Upper Missouri Water Association conference in Deadwood (SOUTH DAKOTA): "A Perfect Storm: Western Drought, Inflation, Ukraine and Global Food Insecurity".

"People need to know that food does not come from Safeway or Family Fare," Mr. Keppen told the audience in Deadwood. "It comes from producers like the farmers and ranchers to whom many of you deliver water. We have a rare opportunity to demonstrate to consumers and policy makers alike that there is still time for our state and federal officials to right this ship and recognize the importance of storing water and growing food with it."

Continued on Page 2

STORIES INSIDE.....

Table with 2 columns: Article Title and Page #. Includes items like 'Next Farm Bill to Move in 2023' (page 3), 'NOAA Predicts a Third Year of La Nina in the West' (page 5), and 'Alliance Represented at Prestigious Aspen-Nicholas Water Forum' (page 13).

Food / Water Security Campaign Continues (*Cont'd from Pg. 1*)

Mr. Keppen delivered a similar keynote address in September at the Arizona Agri-business and Water Council water conference in Phoenix and will also speak on this topic at the World Alfalfa Congress conference later this month in San Diego and the North Dakota Water Users Association conference in Bismarck in December.

Mr. Wade will advance the food security message in his keynote address before the Columbia Basin Development League in Washington state later this month.

Audiences so far have been very supportive of our efforts to educate the public and policy makers on the importance of Western irrigated agriculture to our national security," said Mr. Keppen.

Food Security Concerns Grow

The multiple-year drought faced by many in the West - coupled with other domestic and global developments- is already affecting the availability and price of food for many Americans. Rising food prices and global hunger are linked to the war in Ukraine, extreme climate events like the Western U.S. drought, and other global stressors.

"Political reality is starting to set in, as average Americans - already battling increased inflation, higher gas prices, and soaring food costs - are resetting their priorities on issues that likely have a substantive impact on their daily lives....like safe, affordable food," said Mr. Keppen.

The U.S. has long been an agricultural powerhouse, and our agricultural export capability has helped feed the world. But in 2019, for the first time in more than 50 years, the U.S. ran an agricultural trade deficit. The USDA forecasts we will again run a deficit in 2023, for the third time since 2019. This growing deficit is driven primarily by our dependence on imported Mexican fruits and vegetables.

Most of the tomatoes consumed in the U.S. - fresh, canned, and otherwise - come from California. Factors like the ongoing drought, and rising fuel prices are making the fruit harder and more expensive to grow, which will materialize in terms of scarce availability and higher prices on grocery shelves in the coming months.

Anti-pesticide interests also pose a threat to production.

Banning Pesticides Would Raise Lettuce Prices

California also produces 70% of the nation's lettuce and leafy greens. The California Farm Bureau recently released a study showing that if farmers can't use common pest controls, yields may drop 5% to 10%, and lettuce prices may jump

more than 8%.

Banning neonicotinoids and pyrethroids from being used as pesticides would raise the cost of lettuce, according to Amrith Gunasekara, Ph.D., the director of science and research for the California Bountiful Foundation, an affiliate of the California Farm Bureau.

"California residents are paying higher prices due to global events that are beyond their control," Dr. Gunasekara recently wrote in *Ag Alert*. "But how will they react in the future if their food prices rise further due to misguided government policy decisions in Sacramento that impose increased regulations on agriculture in the state?"

Efforts to sharply restrict or ban neonicotinoids in Washington, D.C. have so far been blocked by Republicans in Congress who have criticized moves by the Environmental Protection Agency (EPA) to curtail other farm chemicals. However, Rep. Earl Blumenauer, a Democrat from Portland (OREGON) has a bill (H.R. 4079), which would cancel the registrations for various neonics, pending further review by a future panel. The bill has 76 Democrat co-sponsors (*E&E News*).

Last month, four environmental groups in California sued EPA over the agency's "failure to assess the real-world impacts" of pesticides in its approval process.

Dr. Gunasekara and others believe additional price increases may be inevitable if the Golden State follows in the footsteps of the European Union, where a policy directive stands to phase out commonly used pesticides by 50% by 2040. A USDA Economic Research Service analysis estimated this strategy could have a negative economic impact of up to \$1.1 trillion.

Farmers Begin to Push Back

Producers in other parts of the world are starting to push back on government environmental proposals that make farming more difficult.

Earlier this year in The Netherlands, angry farmers for weeks protested sweeping environmental policy change that threatened to upend the agricultural productivity of the country, which ranks second only to the U.S. in global exports.

Greenwire on October 20 reported that farmers across New Zealand took to the streets on their tractors last month to protest government plans to tax cow and other greenhouse gas emissions. The week prior, the national government proposed a new farm tax as part of a plan to address climate change.

New Zealand Farmer Matt Swansson told *Greenwire* that he's "had a gutsful" of the government and would consider refusing to pay the new tax.

He said that on many days on his farm, he thinks he has the best job in the world.

"But when it's rain, drizzle, and you get home and listen to the news," Mr. Swansson said, "why do you bother?"



Derek Azevedo looks over a field of organic processing tomatoes outside Los Banos (CALIFORNIA). Photo source: Kevin Hecteman of *Ag Alert*, a publication of the Cal. Farm Bureau.

Next Farm Bill Set to Move in 2023

The planning and budgeting process for the 2023 Farm Bill has begun, and Congressional Agriculture committees are starting to outline the next five years' spending for national conservation, food, farm and nutrition programs.

The Family Farm Alliance throughout the year has prepared for the next farm bill by engaging with agricultural and conservation partners, developing written testimony for Congressional hearings, and working with its members to prioritize its energies in the farm bill debate. Debate over this next farm bill will likely include topics like policies related to ag and climate change, price inflation, international trade and industry consolidation.

"A large portion of our energies at the Alliance will be devoted to the 2023 Farm Bill conservation title," said Alliance Executive Director Dan Keppen. "Once again, we'll work closely on this with our partners in the Western Agriculture and Conservation Alliance (WACC)".

Timing of 2023 Farm Bill

The farm bill is an omnibus, multiyear law that is typically renewed about every five years. The next farm bill is due in September 2023, but the timing isn't certain. The Senate and House Ag committees have both conducted preliminary hearings on the farm bill.

Most farm bills in recent years have been passed after the September 30 expiration of the existing one, especially in odd-numbered years that overlap with midterm elections. (*Greenwire*).

Former House Agriculture Chair Collin Peterson (D-Minn.) told a forum sponsored by *Agri-Pulse* on September 26 that he expects a delay of at least a year, which would require that the 2018 farm bill be extended.

"I hope I'm wrong. I just don't think it's going to happen," said Mr. Peterson. "You can't even start talking about the farm bill until you know who's in charge."



Family Farm Alliance "farmer lobbyists" meet with USDA Under Secretary Robert Bonnie (far right) and his deputies at the Department of Agriculture, September 2022.

Under Secretary for Farm Production and Conservation at USDA, in a recent call with the WACC. "We'll primarily provide technical assistance to the Hill. Congress writes the Farm Bill."

President Biden signed the Inflation Reduction Act (IRA) into law on August 18. The IRA is a once-in-a-generation investment, representing the single largest investment in climate and clean energy solutions in American history.

Approximately \$20 billion of IRA funds will support the Natural Resources Conservation Service's (NRCS) conservation programs nationally, to include:

- \$8.45 billion for the Environmental Quality Incentives Program (EQIP);
- \$4.95 billion for the Regional Conservation Partnership Program (RCP);
- \$3.25 billion for the Conservation Stewardship Program (CSP);
- \$1.4 billion for the Agricultural Conservation Easement Program (ACEP); and
- \$1 billion for the Conservation Technical Assistance Program.

This additional conservation programming investment will help farmers, ranchers and forest landowners implement expanded conservation practices that reduce greenhouse gas emissions and increase carbon sequestration.

"We are still waiting to learn how much Oregon NRCS will receive from the total IRA funds for NRCS," said Ron Alvarado, NRCS State Conservationist for Oregon. "While we wait, we are strategizing our conservation investments in anticipation for this additional funding to come our way this fiscal year."

Under Secretary Bonnie said USDA will use existing programs and procedures to

implement the IRA .

"We need to think about capacity, and partnerships," he said. "The IRA money will ramp up over time. We need to build the infrastructure to get those dollars out the door."

House Agriculture Committee Ranking member Glenn Thompson (R-Pa.) has warned against turning the conservation title of the farm bill into a "climate" title, although he's sup-

Inflation Reduction Act Impacts on the Next Farm Bill

The upcoming farm bill will be impacted by the infusion of money from the recently passed Inflation Reduction Act's climate provisions and the Agriculture Department's own efforts to promote climate-smart land management, although USDA leaders say this will not be a "President Biden / USDA Secretary Vilsack farm bill".

"We'll pick and choose what we do," said Robert Bonnie,

Continued on Page 4

Page 3

2023 Farm Bill (*Cont'd from Pg. 4*)

ported voluntary programs to promote carbon sequestration in agriculture (*E&E Daily*).

"Some of our farmers are concerned that the carbon-centric focus of some policy makers could endanger projects that also address broader matters," said Mr. Keppen. "Climate mitigation should not just focus on carbon and assume that planting more carbon-sequestering trees will solve the problem. Projects that help producers and water managers adapt to the impacts of climate change must also be encouraged."

Family Farm Alliance Farm Bill Priorities

The Alliance since 2012 has engaged in Farm Bill negotiation primarily through its involvement with the Western Agriculture and Conservation Coalition (WACC).

"We co-founded the WACC, in an effort to support the common interests of agriculture, conservation, and other interests tied to resources on behalf of a viable and sustainable rural West," said Mr. Keppen. "Water is the core resource concern we want the government to address more effectively."

The WACC strives for USDA prioritization of project proposals that deliver cross-sector benefits to farming, ranching, and conservation.

"We want to see emphasis on project proposals that deliver measurable conservation outcomes," said Jeff Eisenberg, WACC Coordinator. "Successful projects are ones that deliver benefits to significant portions of land in a watershed."

A key part of WACC collaboration has focused on Farm Bill conservation programs, where the interests of coalition agriculture and conservation groups are very closely linked. Highlights of WACC policy goals across all Farm Bill Conservation Title programs include:

- Prioritization of project proposals that deliver cross-sector benefits to farming, ranching, and conservation;
- Prioritization of project proposals that deliver measurable conservation outcomes;
- Prioritization of project proposals that deliver benefits to significant portions of land in a watershed;
- Simplification of program delivery without harming environmental interests or program integrity;
- Protecting the current baseline funding for Farm Bill Conservation Title programs.

The Conservation Title programs that the Alliance via its involvement with WACC are focused on for 2023 Farm Bill reauthorization include EQIP, the Conservation Innovation Grant Program (CIG), CREP, and RCPP.

The Alliance supports reducing the high administrative burdens on both NRCS staff and partners alike that leads to project delays and unnecessary expenditures on complex contract administration. This concern was one raised at a hearing conducted by a House Agriculture Subcommittee in September.

"Recently, I applied to receive EQIP cost-sharing funding

for a water infrastructure project on my operation," said Shayne Wiese, who represented the Iowa Cattlemen's Association and National Cattlemen's Beef Association at the hearing. "After months of waiting with no approval, I finally gave up and completed the project without assistance from USDA."

Mr. Wiese and other ranchers see many other opportunities to improve the land and environment with EQIP funding but simply do not have the confidence in the process to apply again.

"We could improve upon soil-health-building grazing practices, provide more erosion control, and promote cleaner water resources," he testified. "I would rather budget responsibly and pay for it ourselves to help the ranch be environmentally progressive than wait for assistance and lose valuable time."

The WACC is also striving to find ways to simplify program delivery without harming environmental interests or program integrity.

"Conservation program management should emphasize a stronger role for state and local decision-making," said Marc Thalacker (OREGON), an Alliance director who has decades of experience working on conservation projects. "NRCS state conservationists should be viewed as 'the CEOs' in these matters."

Watershed and Flood Prevention Operations Program

The Family Farm Alliance and many of its members are strong supporters of the NRCS Watershed and Flood Prevention Operations Program, often referred to as the "PL-566" Program.

The WACC supports modernizing the Watershed and Flood Prevention Operations Program to prioritize multi-benefit projects that reduce flood and drought risk to producers and rural communities through a combination of infrastructure investments with improvements and protections to natural features that help provide the risk reduction.

"We support expanding and modernizing the PL-566 Program to prioritize multi-benefit projects that reduce flood and drought risk to producers and rural communities," said Mr. Thalacker. "We can do this through a combination of infrastructure investments with improvements and protections to natural features that help provide the risk reduction."

An interagency "Memorandum of Understanding" (MOU) was recently signed by the Bureau of Reclamation and NRCS for PL-566 projects on Reclamation facilities.

While Western water managers were pleased to see the commitment of the agencies to coordinate on PL-566 projects, concerns remain regarding the time required to address environmental and cultural resources regulatory requirements on proposed conservation projects.

The Alliance in the past year has signed on to two different coalition letters to the Interior Department and USDA with recommendations on how National Environmental Policy Act and National Historic Preservation Act implementation could be improved and streamlined.

Continued on Page 5

NOAA Predicts a Third Year of La Niña in the West

According to the National Oceanic and Atmospheric Administration (NOAA), the 2022-23 Winter Outlook, the parched Western U.S. is in for the third consecutive winter of La Niña-driven weather.

La Niña is a weather pattern that occurs in the Pacific Ocean. In this pattern, strong winds blow warm water at the ocean's surface from South America to Indonesia. As the warm water moves west, cold water from the deep rises to the surface near the coast of South America.

Generally speaking, La Niña winters tend to be drier and warmer than normal across the southern U.S. and cooler and wetter in the northern U.S. and Canada.

La Niña has a 75% chance of persisting through February, according to the National Weather Service's Climate Prediction Center.

Below-average rainfall and snowpack are expected for Southern California, the Southwest, the southern Rockies, the southern Plains, the Gulf Coast and much of the South due to a predicted third year of La Niña weather patterns. Drought conditions are expected to improve in parts of the Pacific Northwest from the La Niña pattern.

California just experienced its three driest years on record. According to the U.S. Drought Monitor, more than 94% of the state is in severe, extreme or exceptional drought. State water officials said last month they're preparing for another dry year of the La Niña forecast.

"It's the third straight year of a bad and worsening drought," said Wade Crowfoot, secretary of the California Natural Resources Agency. "Our scientists and climatologists

predict that as we move into the winter, we can expect another, fourth dry year."

However, not everyone believes La Niña automatically equates to drought in California.

"We have it in our heads that El Niño means wet, and so the opposite is La Niña, and the opposite is dry," said Michael Anderson, climatologist with the California Department of Water Resources (DWR). "But the reality is not all El Niños are super wet, and not all La Niñas are dry."

The U.S. Drought Monitor shows that nearly 82 percent of

the country is facing at least abnormally dry conditions — the highest percentage since the drought monitor launched in 2000.

Below-normal precipitation could also continue to be a problem for the Mississippi River, as low water levels have recently slowed barge

traffic and threatened municipal water supplies with saltwater intrusion from the ocean. The Army Corps of Engineers (Corps) which operates the river stated if dry conditions persist, especially in the Missouri River Basin, the river may drop an additional 3 feet by December.

The good news is that wetter weather in 2022 means that soil moisture levels in Colorado are the highest they've been since 2014, according to the *Colorado Springs Gazette*. Although the wetter soils mean Colorado could derive more water when the mountain snows melt, it is unlikely to improve the water supply situation in the new water year by much.

"It's still a very tenuous situation," Becky Bolinger, assistant state climatologist, told the *Gazette*. "It's not a great start to the water year."

"We have it in our heads that El Niño means wet, and so the opposite is La Niña, and the opposite is dry. But the reality is not all El Niños are super wet, and not all La Niñas are dry."

Michael Anderson,
California Department of Water Resources Climatologist

2023 Farm Bill (Cont'd from Pg. 4)

"There's nothing in the MOU that I see that will speed up the planning process or the associated environmental compliance," said one Western water manager who wished to remain anonymous. "Probably the exact opposite is my take."



American Farm Bureau 2023 Farm Bill Priorities

Elsewhere, the American Farm Bureau Federation - the nation's largest lobbying group for farmers - highlighted its priorities for the 2023 Farm Bill, several of which match up with the WACC's priorities:

- Protecting current farm bill program spending;
- Maintain a unified farm bill which keeps nutrition programs and farm programs together;
- Any changes to current farm legislation must be an amendment to the Agricultural Adjustment Act of 1938 or the Agricultural Act of 1949;
- Prioritize risk management tools and funding for both federal crop insurance and commodity programs; and
- Ensure adequate USDA staffing capacity and technical assistance

"The farm bill is the most significant piece of legislation that affects farmers and ranchers across the country," Zippy Duvall, the group's president, said in a press release. "Since enactment of the 2018 farm bill, farmers have faced significant challenges from market volatility, increased input costs and devastating natural disasters."

Supreme Court Hears Oral Arguments on WOTUS Case

The Supreme Court of the United States (SCOTUS) on October 3rd heard oral arguments in *Sackett v. EPA*, a case that many Clean Water Act (CWA) experts argue could define what “waters of the U.S.” (WOTUS) means under the CWA.

The outcome of the case could impact whether yet another WOTUS rulemaking could commence – this time under the Biden Administration. Currently, the Administration is considering finalizing their proposed rule reinstating the 1986 CWA rule and guidance (adjusted for past Supreme Court rulings) as the interim benchmark for the Environmental Protection Agency (EPA) and the Army Corps of Engineers to use in determining their jurisdiction over WOTUS under the CWA. The rulemaking process has been underway since the Trump Administration’s *Navigable Waters Protection Rule* defining WOTUS was thrown out in the initial days of the Biden Administration.

In the case, the high court is set to determine whether the U.S. Court of Appeals for the 9th Circuit set forth the proper test for determining whether wetlands are WOTUS under the CWA. The lower court referenced Justice Kennedy’s “significant nexus” test of jurisdictional waters, as opposed to the late-Justice Scalia’s “relatively permanent continuous surface flow” test.

The Family Farm Alliance is part of an agricultural coalition – led by the American Farm Bureau Federation – that submitted an *amicus* (“friend of the court”) brief to the court earlier this year.

“Our brief generally explains how the uncertainty and broad scope of jurisdiction asserted by the agencies over the years have made it difficult for farmers to operate, that the agencies have failed to create a workable definition, and the need for SCOTUS to clearly define WOTUS,” said Norm Semanko (IDAHO), the Alliance’s General Counsel. “Our brief was intended to help push the Court in the right direction and hopefully get them to put appropriate guardrails on the agencies moving forward.”

Others in the “ag” coalition include the American Sheep Industry Association, National Pork Producers Council, U.S. Poultry & Egg Association, The Fertilizer Institute, National Corn Growers Association, National Cotton Council, The National Council of Farmers Cooperatives, American Soybean Association, United Egg Producers, American Sugar Alliance, USA Rice and National Association of Wheat Growers.

Some of the initial media coverage of the oral arguments heard on October 3rd suggested that SCOTUS appears to be backing the Biden EPA.

“There has been endless speculation and reading of the tea leaves regarding questions raised by the Justices in the past month,” said Alliance Executive Director Dan Keppen.

“Adjacency” and “significant nexus” issues were front and center before the Court last month.

After failing to get the U.S. Court of Appeals for the 9th Circuit to throw out a broad test for determining CWA jurisdiction, the Sacketts have proposed to the Supreme Court a two-step test for determining when a wetland is subject to the act.

Step one of the test is determining whether a wetland is inseparably bound up with a “water” by means of a continuous surface-water connection.

The second step of the test is determining whether the “water” is among those water bodies subject to Congress’s authority over the channels of interstate commerce.

Conversely, EPA is urging the Supreme Court to uphold the 9th Circuit’s backing of the “significant nexus” test outlined by then-Justice Anthony Kennedy in *Rapanos v. United States*. They also pointed to the fact that the Supreme Court in *United States v. Riverside Bayview Homes* held that adjacent wetlands may be defined as waters under the CWA.

General Counsel Semanko monitored the hearing and

does not agree with all of the headlines.

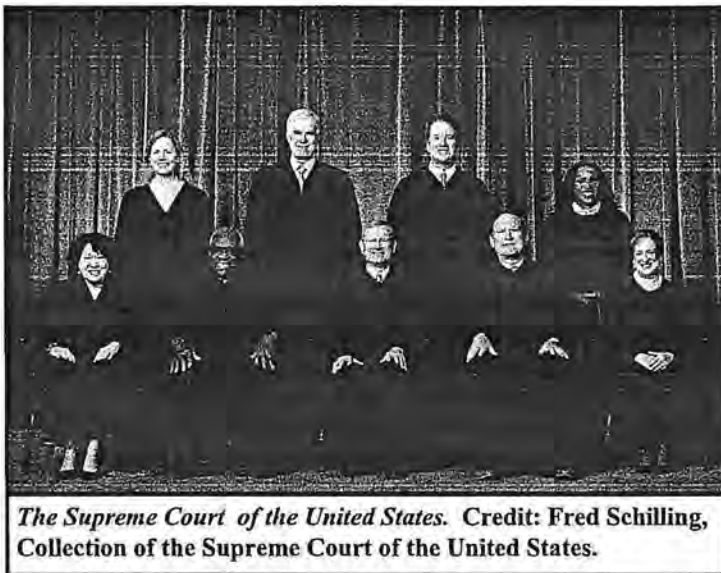
“Based on the comments and questions to both lawyers from the Justices, I do not believe that the Court is likely to soften the ‘adjacency’ test for wetlands from the *Riverside Bayview* case,” said Mr. Semanko. “However, it is likely to dump the “significant nexus” test for WOTUS from the *Rapanos* case.”

He believes the most telling comment at the October 3rd hearing may have been when Justice Amy Barrett said that if the Court retains former Justice Kennedy’s significant nexus test from *Rapanos*, there would be no need to worry about whether wetlands are adjacent to navigable waters or not; all wetlands with any kind of connection to navigable waters would be jurisdictional.

“That tells me that Justice Barrett sees the significant nexus test as being inconsistent with the language of the Clean Water Act,” Mr. Semanko observed.

Conceivably, the Court could adhere to existing precedent regarding adjacent wetlands, but jettison the significant nexus test for WOTUS.

“That would still be a very good result for farmers, ranchers and the larger regulated community,” said Mr. Semanko.



The Supreme Court of the United States. Credit: Fred Schilling, Collection of the Supreme Court of the United States.

Interior Announces \$210M for New Water Storage Projects in the West

The Biden Administration's Department of the Interior announced last month that they will distribute \$210 million in funds from the bipartisan infrastructure law (BIL) from the \$1.05 billion in the BIL designated for water storage and conveyance projects to build or expand water storage facilities in Arizona, California, Colorado, Montana, and Washington to counter impacts of persistent multi-year drought.

"Our investment in these projects will increase water storage capacity and lay conveyance pipeline to deliver reliable and safe drinking water and build resiliency for communities most impacted by drought," said Bureau of Reclamation (Reclamation) Commissioner Camille Calimlim Touton.

All told, the projects are expected to develop over 1.7 million acre-feet of additional water storage capacity, enough water to support 6.8 million people for a year. The funding will also invest in two feasibility studies that could advance water storage capacity further once completed.

The funding provided this year will be matched with local and state funds but is only a portion of the total federal funding required to construct the projects. Project selections are further described below.

Verde River Sediment Mitigation Study (ARIZONA)

Reclamation will provide \$5 million to provide the federal cost share for conducting the Verde River Sedimentation feasibility study, which would identify alternatives to restore at least 46,000 acre-feet of water storage lost due to accumulation of sediment at Horseshoe Reservoir. It would also determine a plan for future management of sediment at Horseshoe and Bartlett Reservoirs and investigate potential operational flexibilities created with increased storage capacity to assist in mitigating impacts of drought and climate change on water availability.

The Salt River Project and the U.S. Bureau of Reclamation started working on the study eighteen months ago, looking at ways to bring more water to those living and moving to the Valley. An appraisal study was completed in 2021.

California Storage Projects

Included in this year's funding is \$137 million for three California projects: \$25 million to raise the B.F. Sisk Dam and expand San Luis Reservoir near Los Banos, resulting in 130,000 acre-feet of new capacity, \$30 million for the proposed Sites Reservoir west of Colusa in Sacramento County, and \$82 million for the second phase of the Los Vaqueros Reservoir expansion in Contra Costa County.

Sites Reservoir would utilize new and existing facilities to move water into and out of the reservoir, with ultimate release to the Sacramento River system via existing canals, a new pipeline near Dunnigan, and the Colusa Basin Drain. It

would increase Northern California's reservoir water storage capacity by 15%, with the water to be shared between state's biggest water goals.

"It serves farms, families, fish and fowl," Jerry Brown, the Sites Project Authority executive director, recently told KTVU-2 TV (Oakland). "Those benefits would stretch from the northern Central Valley and the Bay Area, all the way to southern California."

Arkansas Valley Conduit (COLORADO)

The Arkansas Valley Conduit, a water pipeline project that has been slow to start, will get \$60 million from the latest round of federal funding from the Bipartisan Infrastructure Law. This funding will continue the facilitation of supplying a safe, long-term water supply to an estimated 50,000 people in

40 rural communities along the Arkansas River.

"Thanks to the Bipartisan Infrastructure Act, long-stalled projects like the Ark Valley Conduit are moving forward," said U.S. Senator John Hickenlooper (D-COLORADO). "Today, we're bringing this 60-year project over the finish line."

Once complete the project will replace current groundwater sources contaminated with radionuclides and help communities comply with Environmental Protection Act drinking water regulations through more than 230 miles of pipelines designed to deliver up to about 7,500 acre-feet per year from Pueblo Reservoir.



Reclamation will spend \$5 million to increase storage at Lake Cle Elum (WASHINGTON). Photo source: USBR.

DRWA Water System Feasibility Study (MONTANA)

The Dry Redwater Regional Water Authority (DRWA) will receive \$3 million to provide the authorized federal cost-share for finishing its regional water system feasibility study.

As planned, the system would pull 4,000 acre-feet of water a year from Fort Peck Reservoir near the North Fork of Rock Creek and treat the water at a newly constructed plant nearby. From the plant the water would be pumped through a web of about 1,350 miles of pipeline across a region stretching more than 100 miles east to west, from Sand Springs to Fairview in a region between the Yellowstone and Missouri rivers.

"People out here need the water," Mandy Nay, DRWA coordinator, told the *Billings Gazette*.

Cle Elum Pool Raise (WASHINGTON)

Reclamation will spend \$5 million to increase the water storage capacity in the Cle Elum Reservoir by an additional 14,600 acre-feet to be managed for instream flows for fish.

Continued on Page 9

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New Lower Colo. River Basin System Conservation & Efficiency Program

The Department of the Interior last month announced new drought mitigation funding opportunities to improve and protect the long-term sustainability of the Colorado River System.

A newly created Lower Colorado River Basin System Conservation and Efficiency Program, funded with an initial allocation through the Inflation Reduction Act (IRA) and managed through the Bureau of Reclamation (Reclamation), is intended to help increase water conservation, improve water efficiency, and prevent the System's reservoirs from falling to critically low elevations that would threaten water deliveries and power production.

"The Lower Colorado River Basin System Conservation and Efficiency Program provides both new opportunities for system conservation and more durable long-term solutions for areas experiencing drought," said Reclamation Commissioner Camille Calimlim Touton.

The IRA includes \$4 billion in funding specifically for water management and conservation efforts in the Colorado River Basin and other areas experiencing drought.

The Family Farm Alliance last summer worked with Western Senators as the IRA was being negotiated, pushing for Western drought provisions that materialized in the form of \$4 billion funding, prioritized for short-term Colorado River demand reduction measures intended to prevent the reservoir levels behind Hoover Dam (Lake Mead) and Glen Canyon Dam (Lake Powell) from crashing.

Many believe the burden for meeting these short-term measures will fall on agricultural water users with senior rights near Yuma and in the Imperial Valley. Family Farm Alliance members in those areas want to ensure that the full spectrum of impacts – not just direct impacts, but also impacts to national security, food supply, rural communities, the Salton Sea, and third-party stakeholders – are properly assessed.

"Agriculture cannot be decimated by short-term measures," said Alliance Executive Director Dan Keppen. "We need to find ways to keep the agricultural infrastructure working when the water comes back. This short-term emergency will require long-term mitigation. In the meantime, long-term solutions need to be kick-started in parallel with the emergency short-term plan."

Last month's announcement focused on near-term actions to protect the Colorado River in the Lower Basin. The Department is also working to invest in long-term system efficiency improvements across the Basin, including at least \$500 million in the Upper Basin states of Colorado, Utah, Wyoming and New Mexico, that will result in additional water conservation for the entire system.

New Program Details

The newly created Lower Colorado River Basin System Conservation and Efficiency Program will select projects for funding by Colorado River water delivery contract or entitlement holders that mitigate drought, protect important natural resources, and ensure a reliable source of water and power for those who live in communities across the West.

The program funding opportunity has three components. Two of the three components are open for proposal submissions from Oct. 12 to Nov. 21, 2022 and require confirmation of water conservation and system benefits.

For the first component, eligible applicants may submit proposals for system conservation resulting in wet water remaining in Lake Mead at a set price of:

- One-year agreement: \$330 per acre-foot
- Two-year agreement: \$365 per acre-foot
- Three-year agreement: \$400 per acre-foot

A second component of the program will accept proposals for additional water conservation and efficiency projects that could involve a variety of pricing options.

The third component allows for proposals to be submitted in early 2023 for long-term system efficiency improvements that will result in multi-year system conservation.

Information on the program and proposal submission details can be found on Reclamation's IRA webpage.

The Gila River Indian Community was the first Arizona water rights holder to publicly pursue the federal government's new offer of compensation to leave Colorado River water in Lake Mead. However, Yuma-area growers who have proposed \$1,500 an acre-foot to forgo some irrigation are questioning Reclamation's offer of \$330 to \$400 for multi-year deals. The Arizona Farm Bureau Federation's vice president told *The Arizona Republic* it's nowhere near enough to entice Yuma farmers.

Meanwhile, Arizona Senator Mark Kelly last month called on federal officials to halt funding for California's Salton Sea project until the state gives up more of its Colorado River water.

"We are out of time," Senator Kelly said in his letter to Secretary of the Interior Deb Haaland. "The longer the Department waits to press for an agreement in the Lower Basin, the more difficult this crisis will be to solve, leading only to tougher choices and litigation."

Other States Eye IRA Drought Monies

Although much of the focus of the \$4 billion in IRA Western Drought relief has been placed on the Colorado River, other areas of the West are also eyeing the funds.

Managers and officials on the Rio Grande are hopeful that some of the drought dollars will reach their communities and bring attention to the challenges facing the Great River, where stretches of the river near Albuquerque (NEW MEXICO) went dry for the first time in 40 years last summer.

South Texas cities like Brownsville, which rely on the Rio Grande as their only water source, are having to impose water restrictions on businesses and a one million people.

Some New Mexico and Texas officials argue that the Rio Grande Basin has been unjustly overlooked.

In the past, New Mexico has not received huge federal investments on Rio Grande challenges, but rather, "bits and pieces of things," said Mike Hamman, the state water engineer. "But nothing like a major drought appropriation strictly from the federal government, to date." (*Greenwire*).

U.S. Democrat Senators from Oregon - Ron Wyden and Jeff Merkley - last month pressed Reclamation to prioritize Oregon as the agency develops its plans for the drought relief

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Inflation Reduction Act Drought Funds (Cont'd from Page 7)

resources that Congress recently provided in the BIL and the IRA.

"[W]e write to strongly urge the Bureau of Reclamation to provide critical funding to areas in Oregon that have been devastated by the historic, multi-year, extreme drought conditions," the senators wrote to Reclamation Commissioner Camille Touton. "As you saw first-hand this summer while visiting the Klamath Basin, the drought has been devastating to Oregon communities. . . . Your agency is now primed with new funding and beneficial tools that can help Oregonians struggling against drought..."

BOR to Propose New Colo. River Operating Guidelines

Reclamation on October 28 announced that it would initiate an expedited, supplemental process to revise the current interim operating guidelines for the operation of Glen Canyon and Hoover Dams in 2023 and 2024 in order to provide addi-

tional alternatives and measures needed to address the likelihood of continued low-runoff conditions across the Basin.

"Today's action brings new ideas and necessary measures to the table as we consider alternatives to revise operations to better protect Colorado River System in the near term while we also continue to develop long-term, sustainable plans that reflect the climate-driven realities facing the Colorado River Basin," said Reclamation Commissioner Touton.

Reclamation's "Notice of Intent" outlines that, in order to ensure that Glen Canyon Dam continues to operate under its intended design, Reclamation may need to modify current operations and reduce Glen Canyon Dam downstream releases. This will impact downstream riparian areas and reservoir elevations at Lake Mead.

In order to protect Hoover Dam operations, system integrity, and public health and safety, Reclamation may need to also modify current operations and reduce Hoover Dam downstream releases.

BIL Storage Projects Announced (Cont'd from Page 7)

"This project is an important component of the Yakima Basin Integrated Plan, which will help the ecosystem and economy to be resilient to climate change in the future," said Urban Eberhart, Secretary Manager, Kittitas Reclamation District, and a member of the Family Farm Alliance Advisory Committee.

Additional efforts include shoreline protection that will provide mitigation for the pool raise.

BIL Update Planned

The BIL allocates \$8.3 billion for Reclamation water infrastructure projects over the next five years to advance drought resilience and expand access to clean water for fami-

lies, farmers, and wildlife. The investment will repair aging water delivery systems, secure dams, and complete rural water projects, and protect aquatic ecosystems.

The Family Farm Alliance was one of five organizations on the steering committee that led a coalition of over 230 water, agricultural and urban organizations that proposed and advocated for this funding as the Infrastructure Investment and Jobs Act advanced through Congress last year and was signed into law by President Biden in November 2021.

Reclamation will be providing an update on its implementation of the BIL for Tribes and stakeholders on November 10, 2022. To learn more about implementation of the Bipartisan Infrastructure Law or view this and other recorded sessions please visit www.usbr.gov/bil.

Irrigation Show
and Education Week

LAS VEGAS
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The Irrigation Show and Education Week is the largest show solely focused on irrigation. In 2022, the exhibit hall will feature hundreds of exhibitors, the 20th anniversary of the new product contest, a special area for tech startups, live presentations and a Craft Brewfest. For education, IA University returns to offer the core curriculum for irrigation professionals. Other 2022 features include a selection of seminars and presentations on today's trends and best practices, the return of the General Session, and numerous unique social and networking opportunities.

Congress to Return to D.C. After Midterm Elections

When Congress returns to Washington for the lame duck session after the midterm elections next week, lawmakers are expected to consider billions of additional dollars in disaster spending requests due to several weather-related disasters in recent months.

Along with the National Defense Authorization Act (NDAA), Congress must deal with several other must-pass legislation in the lame duck, including an omnibus FY 2023 appropriations bill.

Congress passed a temporary continuing resolution (CR) in September to fund the government past the end of the fiscal year through December 16.

The CR included \$18.8 billion in hurricane relief for FEMA to tap into now, but Sen. Marco Rubio (R-FL) recently released his request for \$33 billion in additional aid to Florida after Hurricane Ian devastated that state.

"Hurricane Ian made landfall near Cayo Costa, Florida as a Category 4 major hurricane on September 28, 2022, resulting in catastrophic damage throughout the state," said Senator

Rubio. "Florida, its residents, and local governments need immediate assistance to begin the long road to recovery."

Separately, House Natural Resources Chair Raúl Grijalva (D-AZ) is requesting disaster help for Puerto Rico in the wake of Hurricane Fiona.

The House passed their version of the National Defense Authorization Act (NDAA) in July, but the Senate will not move their version until the lame duck session, with a conference to negotiate differences between the two bills after that.

It remains to be seen if Sen. Joe Manchin (D-WV) will try to attach his permitting reform language to the NDAA.

The Senate NDAA debate may touch on several hot-button policy areas, including climate change and electric vehicles for the military, critical mineral extraction, and Russian energy sanctions.

"With over 900 amendments filed in the Senate, much work is still needed to ensure passage before the end of the year," said Mark Limbaugh with The Ferguson Group, the Family Farm Alliance's voice in Washington.

New Bill Would Impose Water Tax on Exported Crops

Democratic Congressmen from Arizona Ruben Gallego and Raúl Grijalva last month introduced the "Domestic Water Protection Act of 2022" (H.R. 9194), which would impose an excise tax on the sale of a "water-intensive" crop.

The tax is 300% of the price for which the crop is sold and is paid by the manufacturer, producer, or importer of the crop.

The bill defines *water-intensive crop* as a crop grown in an area experiencing prolonged drought (i.e., an area experiencing severe, extreme, or exceptional drought lasting more than six months) at the time such crop is grown, and by a manufacturer, producer, or importer that is a foreign corporation or foreign government.

H.R. 9194 is aimed at Saudi Arabia's largest dairy company and its subsidiary Fondomonte, which grows alfalfa in western Arizona for export. Fondomonte leases the farmland from the state of Arizona for \$86,000 annually but does not pay for the water.

"While Arizona experiences the driest conditions in centuries, our water is being given away in a sweetheart deal with Saudi Arabia," Gallego said in a statement.

The issue may not be so black and white.

There are many other producers of alfalfa besides Fondomonte in Arizona, and many of them have alfalfa export contracts. Some export directly to countries like Japan and others do so through various export hay brokers in California. There are also growers who sell hay directly to Fondomonte for export, since Fondomonte provides a market for other growers in Arizona.

Some fear that other growers could be hurt by this bill,

even if it is unintentional.

"H.R. 9194 may be targeted at Fondomonte and groundwater use, but it is bad news, and we oppose it," said Elston Grubaugh, Manager-Secretary for Wellton-Mohawk Irrigation and Drainage District. "Also, the bill sets a very bad precedent. What's next? Placing a heavy excise tax on Arizona cotton? Or durum wheat, much of which is exported? Or cattle? Or dairy?"

"The bill sets a very bad precedent. What's next? Placing a heavy excise tax on Arizona cotton? Or durum wheat, much of which is exported? Or cattle? Or dairy?"

Elston Grubaugh
Wellton-Mohawk Irrigation & Drainage District

Farming advocates wonder why only agriculture is being talked about, since water also goes into many other products that are exported to other countries.

America's 5 biggest export products by value in 2021 include electronic integrated circuits. U.S. semiconductor manufacturing has long been established in Arizona, and the state has more than 200 production facilities in addition to Intel and the new TSMC plant.

It takes a lot of water to run a plant that manufactures electronic integrated circuits. Between 8-10 gallons of water are needed to make a single computer chip; roughly 5,300 gallons are needed to produce one computer.

That may not sound like much, it adds up to a large and growing demand of water when you start counting computers.

"It's difficult to determine exactly how much Colorado River water is going to support chip manufacturing in the Southwest, but the volume is not insignificant," said Family Farm Alliance Executive Director Dan Keppen. "What is disturbing is that no one seems to be decrying the 'export' of Colorado River water to other countries via these products. Regardless of whether cars, computer chips, or alfalfa are sold to another country, water is required to produce all of them."

Western GOP Renews Call for Details of Biden 30x30 Initiative

The Senate Western Caucus and Congressional Western Caucus have requested an update on the Biden administration's 30x30 plan, calling the *America the Beautiful* initiative "thoughtless."

Congressional Caucus Chairman Dan Newhouse (R-WASHINGTON) and Senate Western Caucus Chairman Steve Daines (R-MONTANA) sent a letter to U.S. Department of the Interior Secretary Deb Haaland renewing their request for details on the Biden Administration's "30 by 30" initiative, or "*America the Beautiful*."

"As we have warned in the past, the lack of information and transparency leads many Westerners to fear the '*America the Beautiful*' initiative is at best, a thoughtless approach to conservation, and at worst, a top-down land-grab," wrote the Chairmen.

The letter was sent on the one-year anniversary of the Congressional and Senate Western Caucuses releasing their alternative proposal, the *Western Conservation Principles*.

The Western Caucus report offers an alternative approach to the 30x30 plan, which the authors say is a "outcome-based approach and relies upon objective land health standards to be achieved through leveraging existing tools, resources, and partnerships and the collaboration of a diverse set of stakeholders."

Throughout the transition and first two years of the Biden

Administration, the Family Farm Alliance has worked with other Western landowner groups and Members of Congress to monitor and seek to influence the development of the Administration's "*Conserving and Restoring America the Beautiful*" initiative, which seeks to "conserve" 30% of the nation's lands and waters by the year 2030.

The Western Caucus members cited U.S. Geological Survey's data that shows over 30% of federal lands already have permanent protection from conversion, along with a mandated management plan to maintain a primarily nature state.

It has been one year since Western GOP members in the House and the Senate released their *Western Conservation Principles*, an alternative proposal to the Biden Administration's initiative. This proposal emphasized regulatory reform, such as changes to the National Environmental Policy Act (NEPA) and the Endangered Species Act (ESA), as well as renewed support for extractive industries.

"We were pleased to see that the Congressional Water Caucus report specifically promoted the protection of Western water infrastructure, a recommendation we provided to the authors of this report," said Alliance Executive Director Dan Keppen. "However, we've also been engaged in efforts led by Western Landowners Alliance, and others, working with the Biden Administration to better understand the intent of this initiative, and working to ensure that the concerns of local landowner and water right holders are addressed."

California Bumblebee Decision Raises Questions for the Future

The California Supreme Court has denied a petition supported by the Family Farm Alliance and other agricultural interests to prevent four bumblebee species from being classified as fish under the California Endangered Species Act (CESA).

The Court's decision to allow bumblebees and other insects to be considered for protection under CESA leaves several questions for the future. The decision does not immediately mean that the four bumblebee species are protected under CESA. It means that the California Fish and Game Commission has the authority to do so.

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

"I am grateful for the amicus support," said Mr. Weiland. "For the farming community, this issue of insect listings will continue to be consequential in California."

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

"Until recently, it was widely understood that CESA does not extend to insects," said Mr. Weiland.

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

The purpose of the Alliance's amicus letter was to urge

the Supreme Court to take the case.

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

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

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

A statement by Chief Justice Tani Cantil-Sakauye suggests the law could be reworded by the Legislature to clear up any ambiguities. Justices Carol Corrigan and Joshua Grobans also concurred with the statement.

"The Chief Justice's issuance of the statement was extraordinary," said Mr. Weiland. Mr. Weiland and others close to this case do not yet have a good sense of whether the California farming community is looking to the State Legislature for answers.

"It will take a while before the implications become clear, and that may lead to complacency when people have some many other front burner pressures," said Mr. Weiland. "It is a difficult situation."

Biden Administration Announce 20+ Agency Climate Progress Reports Plus - House Committee Approves Bill to Add Climate Change to Fisheries Law

The Biden Administration last month announced the release of more than 20 agencies' annual reports showing how they are addressing climate risks and vulnerabilities. The updates show agencies' progress on the climate adaptation plans they released last October, including reports from the Environmental Protection Agency (EPA), the Department of the Interior, the Energy Department, and the Treasury, to name a few.

"The reports released today show significant progress made by agencies to bolster adaptation and increase resilience to climate impacts," the White House said in a statement.

According to the Administration, more frequent and severe weather events, including droughts, extreme heat, wildfires, floods, and hurricanes, create mounting climate-related damages nationwide, including more than \$145 billion in damages across the U.S. last year.

The Administration highlights the fact that both the Inflation Reduction Act (IRA) and the Bipartisan Infrastructure Law (BIL) include \$50 billion in investments to protect American infrastructure against catastrophic wildfires, heat, and floods, and \$4.5 billion for drought preparedness.

On Capitol Hill, the House Natural Resources Committee last month approved a bill overhauling the nation's premier fishing law to include a climate-related requirement for the first time.

On a party-line vote, the Committee advanced H.R. 4690, the "Sustaining America's Fisheries for the Future Act," from Rep. Jared Huffman (D-CALIFORNIA), to require NOAA to

create plans for "climate ready fisheries" to manage the nation's fish stocks. The language would amend the Magnuson-Stevens Fishery Conservation and Management Act (MSA), a 1976 law that sets rules for fishing in all federal waters.

"We know that the MSA has worked well, but new approaches are needed in this era of climate change, new technologies, evolving science needs, and increasing ocean use," said Rep. Huffman. "Through our stakeholder-driven, science-based approach, we have crafted legislation that rises to the challenges of the 21st Century and includes critical updates to this landmark law."

While reauthorization has historically been bipartisan and the product of numerous hearings, Committee Republicans claim the current reauthorization legislation is partisan and "would undermine the law and harm our commercial and recreational fisheries".

The bill passed through committee amid opposition from key U.S. seafood groups, including the National Fisheries Institute, which said the proposed legislation didn't take into account the industry's specific concerns.

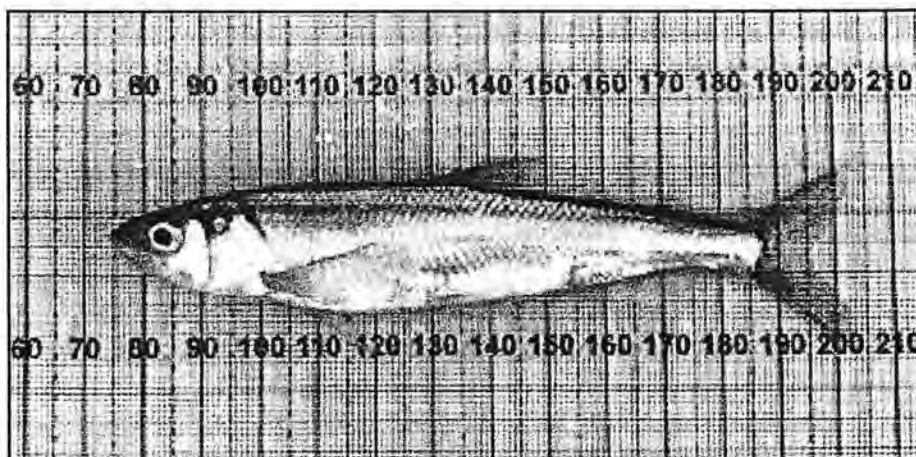
"During a legislative hearing on H.R. 4690 held last November, detailed testimony was presented by expert witnesses about sections of H.R. 4690 that raise alarms for fishery managers and participants," a letter from several industry groups states. "Unfortunately, those detailed and specific concerns appear to have been ignored."

The House took up the bill on the floor but postponed final votes on the legislation until they return in November.

FWS Proposes ESA Protections for Longfin Smelt in California

The Fish and Wildlife Service has proposed Endangered Species Act (ESA) protections for the San Francisco Bay-Delta (California) distinct population of the longfin smelt.

An ESA listing of the fish, which needs freshwater flows to survive, could make the battle for agricultural and municipal water supply from the Sacramento-San Joaquin River Delta upstream of the Bay-Delta even worse, following more



The San Francisco Bay-Delta Longfin Smelt.
Photo courtesy of U.S. Fish and Wildlife Service

farm fields in the Central Valley and putting pressure on water supplies from the Colorado River and other sources in Southern California.

A similar ESA listing proposed for the small fish was rejected by both Obama and Trump Administrations, but Biden Administration officials say the population has declined by three to four orders of magnitude from the previously proposed listings.

Reps. Newhouse, Peters Introduce *Root & Stem Act* *Bill empowers federal agencies to treat forests through a collaborative process*

Reps. Dan Newhouse (R-WASHINGTON) and Scott Peters (D-CALIFORNIA) introduced the *Root & Stem Act*, which provides the U.S. Forest Service and Bureau of Land Management with a clear statutory tool to treat forests more efficiently and empower collaborative processes through “Root & Stem” projects.

“I have seen firsthand how these collaborative projects can benefit both local economies and the environment,” said Rep. Newhouse. “By encouraging ‘Root & Stem’ projects, we can ensure more effective stewardship of our resources and desperately needed management of our forests.”

By authorizing the U.S. Forest Service and Bureau of Land Management to propose and enter collaborative stewardship contracts and agreements, this legislation will allow the agencies to accomplish more hazardous fuels reduction and empower the agencies to engage with state, local, and tribal partners to ensure forest management projects complement ongoing conservation efforts, benefit communities, and protect local ecosystems.

“The *Root and Stem* bill will accelerate forest management projects that are smart and rooted in science to protect our ecosystems and climate,” said Rep. Peters. “As we combat the increasing risks of wildfires and drought due to climate change, bipartisan action to protect our forests and public lands will be more critical than ever.”

Companion legislation, introduced by Senators Steve Daines (R-MONTANA) and Dianne Feinstein (D-CALIFORNIA), was unanimously reported out of the Senate Environment and Natural Resources Subcommittee on Public Lands, Forests, and Mining last June.

Patrick O’Toole, the President of the Board for the Family Farm Alliance, testified before the Senate Committee on Energy and Natural Resources on September 29 to discuss another pending forest bill, the *Promoting Effective Forest Management Act of 2022*, which was introduced by U.S. Sens. Joe Manchin (D-WV) and John Barrasso (R-WY).

The Senate legislation seeks to reduce catastrophic wildfire risk and improve forest health with provisions that direct the Forestry Service and Bureau of Land Management to prioritize accomplishments over rhetoric. The legislation would also require agencies to use at least one existing streamlined authority for environmental review on a forest management project within the next three years and to incentivize employees to become more engrained in their communities.

It also promotes the use of grazing as a tool for preventing wildfire.

“This bill is about implementation,” Mr. O’Toole said. “That’s why it is so critically important. I am encouraged that it reflects the concerns of the men and women on the ground regarding the urgency of implementing forest restoration and management.”

Alliance Represented at Prestigious Aspen-Nicholas Water Forum

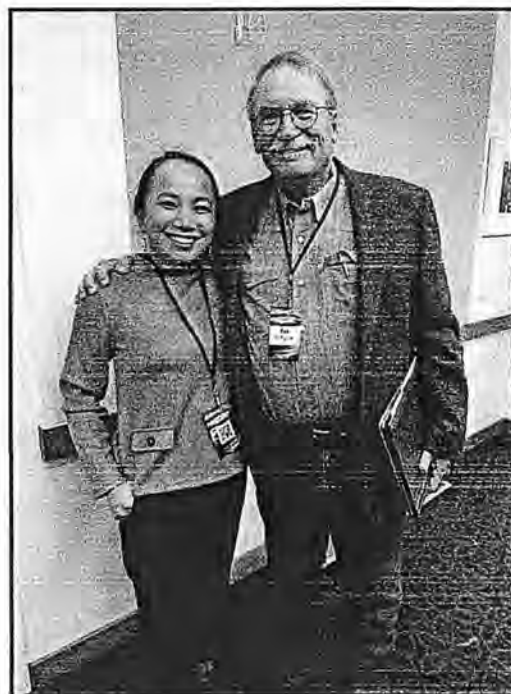
Pat O’Toole, representing the Family Farm Alliance, spoke to opinion leaders meeting at the prestigious Aspen-Nicholas Water Forum – “Water and Disasters—Risk, Resilience and Adaptation” – last month in Aspen (COLORADO).

This forum, convened annually by the Aspen Institute’s Energy and Environment Program and Duke University’s Nicholas Institute for Environmental Policy Solutions, serves as a platform for addressing domestic water challenges in the 21st century.

Mr. O’Toole reminded those attending to think about food production and its importance to the American economy when considering water policy.

“It was the positive trade balance of exports of agricultural products which kept the United States out of a recession in 2008-2009,” Mr. O’Toole told forum participants. “Today, the country is looking at another recession, and has become a net importer of food.”

RIGHT—Bureau of Reclamation Commissioner Camille Calimlim Touton and Family Farm Alliance President Patrick O’Toole at the Aspen-Nicholas Water Forum in Colorado last month. Photo courtesy of Sharon O’Toole.



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& 58TH ANNUAL MEETING**
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Presented by
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Thursday, November 17, 2022
Big Bend Community College, Moses Lake, WA

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

CORRESPONDENCE LIST
NOVEMBER 2022

1. October 13, 2022 – Letter from District regarding resetting water service meter box – APN 141-360-033
2. October 14, 2022 – Notice and Agenda received from the Santa Ynez Community Services District for the October 19, 2022 Regular Board Meeting
3. October 18, 2022 – Letter from Santa Barbara County Fire Department regarding APN 137-650-002 Fire Department Requirements
4. October 18, 2022 – Letter from District regarding customer payment plan for water service account
5. October 19, 2022 – Letter from District regarding past due water service account
6. October 20, 2022 – Letter from District to Center for Contract Compliance responding to Public Records Act Request
7. October 20, 2022 – Notice of Cancellation for the October 27, 2022 meeting of the Groundwater Sustainability Agency for the Eastern Management Area in the Santa Ynez River Groundwater Basin
8. October 20, 2022 – Notice and Agenda received from the Cachuma Operations & Maintenance Board for the October 24, 2022 Regular Board of Directors Meeting
9. October 21, 2022 – Water Service Requirements Letter for APN 143-182-021
10. October 25, 2022 – Existing Water Service Letter for APN 135-240-082
11. October 26, 2022 – Letter from District regarding meter down-size request – APN 135-110-018
12. October 28, 2022 – Letter from Customer requesting payment plan for water service account
13. October 31, 2022 – Los Olivos Community Services District request survey participants
14. October 31, 2022 – Two letters received from California State Water Resources Control Board regarding Cessation or Reduction of Groundwater Extractions 2021/2022 Annual Statement
15. October 31, 2022 – Letter from District regarding payment plan for water service account
16. November 1, 2022 – Letter received from Santa Barbara County Fire Department regarding APN 137-042-011 Fire Department Requirements
17. November 2, 2022 – Letter received from Santa Barbara County Public Works Department regarding Regional Water Efficiency Program Partnership Invoice for FY 2022/2023
18. November 2, 2022 – Notice and Agenda received from the Los Olivos Community Services District for the November 7, 2022 Finance Committee Meeting
19. November 3, 2022 – Four letters from District regarding past due water service accounts

20. November 4, 2022 – Agenda and Board Packet received from Los Olivos Community Services District for the November 9, 2022 Board of Directors Regular Meeting
21. November 8, 2022 – Water Service Requirements letter for APN 141-201-064
22. November 7, 2022 – Signed customer payment plan agreement for water service account
23. November 8, 2022 – Letter from District regarding payment plan for water service account
24. November 9, 2022 – Water Availability Letter for Preliminary Zoning and Planning Purposes only for APN 141-100-064
25. November 9, 2022 – Notice and Agenda received from the Groundwater Sustainability Agency for the Eastern Management Area Regular Meeting November 17, 2022