

## NOTICE AND AGENDA

Special Meeting of the Board of Trustees  
SANTA YNEZ RIVER WATER CONSERVATION DISTRICT, IMPROVEMENT DISTRICT NO.1  
will be held at 3:00 P.M., Monday, June 14, 2021  
at 1070 Faraday Street, Santa Ynez, CA. - Conference Room

or via TELECONFERENCE  
Teleconference Number: 1-888-585-9008  
Passcode: 841-456-156#

**Important Notice Regarding Public Participation in This Meeting:** For those who may not attend the meeting in person but wish to provide public comment on an Agenda Item, please submit any and all comments and materials to the District via electronic mail at [general@syrwd.org](mailto:general@syrwd.org). All submittals must be received by the District no later than 12:00 p.m. on Monday, June 14, 2021, and should indicate "**June 14, 2021 Board 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 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. **ADDITIONS OR CORRECTIONS, IF ANY, TO THE AGENDA**
5. **PUBLIC COMMENT** - Any member of the public may address the Board relating to any non-agenda matter within the District's jurisdiction. The total time for all public participation shall not exceed fifteen (15) minutes and the time allotted for each individual shall not exceed three (3) minutes. The District is not responsible for the content or accuracy of statements made by members of the public. No action will be taken by the Board on any public comment item.
6. **CLOSED SESSION:** To accommodate the teleconferencing format of this meeting, the public participation access will be closed for up to sixty (60) minutes while the Board of Trustees convenes into closed session. Upon the conclusion of the closed session, the public participation teleconference access will be reopened for the remaining Agenda items.
  - A. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION:** Title - General Manager [Section 54957 of the Government Code]
  - B. **CONFERENCE WITH LABOR NEGOTIATOR:** Jeff Dinkin - Stradling, Yocca, Carlson & Rauth; Unrepresented Employee - General Manager [Section 54957.6 of the Government Code]
7. **RECONVENE INTO OPEN SESSION:**  
[Sections 54957.1 and 54957.7 of the Government Code]
  - A. Consideration and Ratification of General Manager Cost of Living Adjustment Increase
  - B. Consideration and Approval of General Manager Compensation Adjustment

8. **CORONAVIRUS (COVID-19) UPDATE**
  - A. General Manager's Report
  
9. **CONSIDERATION OF THE MINUTES OF THE REGULAR MEETING OF MAY 18, 2021**
  
10. **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 Updates
  
11. **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. Water Rate Review/July 2021 Scheduled Rate Adjustment
    3. Appropriation Limit for the 2021/2022 Fiscal Year - Article XIII B (Proposition 13)
      - a) Resolution No. 805: A Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 Establishing the Appropriation Limit for Fiscal Year 2021-2022 Pursuant to Article XIII B of the California Constitution
    4. Consider Adoption of the Final Budget for Fiscal Year 2021/2022
      - a) Final Budget Summary
      - b) Resolution No. 806: A Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 Adopting the Final Budget for Fiscal Year 2021-2022 and Requesting an Assessment Levy Required to Collect \$875,000
  
12. **REPORT, DISCUSSION, AND POSSIBLE BOARD ACTION ON THE FOLLOWING SUBJECTS:**
  - A. **CACHUMA PROJECT - ANNUAL ALLOCATION REQUEST**
    1. Update Regarding Cachuma Member Units Allocation Request for Water Year 2021-2022
  - B. **SUSTAINABLE GROUNDWATER MANAGEMENT ACT**
    1. Eastern Management Area Update
  
13. **REPORTS BY THE BOARD MEMBERS OR STAFF, QUESTIONS OF STAFF, STATUS REPORTS, ANNOUNCEMENTS, COMMITTEE REPORTS, OBSERVATIONS AND OTHER MATTERS AND/OR COMMUNICATIONS NOT REQUIRING BOARD ACTION**
  
14. **CORRESPONDENCE: GENERAL MANAGER RECOMMENDS FILING OF VARIOUS ITEMS**
  
15. **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.
  
16. **NEXT MEETING OF THE BOARD OF TRUSTEES:** The next Regular Meeting of the Board of Trustees is scheduled for **July 20, 2021 at 3:00 p.m.**

**17. CLOSED SESSION:**

To accommodate the teleconferencing component of this meeting, the public access line will be closed for up to forty-five (45) minutes while the Board of Trustees convenes into closed session. Upon the conclusion of the closed session, the public participation teleconference access will be reopened for the remaining Agenda Items. The Board will hold a closed session to discuss the following items:

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

[Subdivision (d)(1) of Section 54956.9 of the Government Code - 1 case]

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

**B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

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

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

**18. RECONVENE INTO OPEN SESSION**

Sections 54957.1 and 54957.7 of the Government Code

**19. ADJOURNMENT**

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This Agenda was posted at 3622 Sagunto Street, Santa Ynez, California, and notice was delivered in accordance with Government Code Section 54950, specifically Section 54956. This Agenda contains a brief general description of each item to be considered. The Board reserves the right to change the order in which items are heard. Copies of the staff reports or other written documentation relating to each item of business on the Agenda are on file with the District and available for public inspection during normal business hours. A person who has a question concerning any of the Agenda items may call the District's General Manager at (805) 688-6015. Written materials relating to an item on this Agenda that are distributed to the Board of Trustees within 72 hours (for Regular meetings) or 24 hours (for Special meetings) before it is to consider the item at its regularly or special scheduled meeting(s) will be made available for public inspection at 3622 Sagunto Street, during normal business hours. Such written materials will also be made available on the District's website, subject to staff's ability to post the documents before the regularly scheduled meeting. If you challenge any of the Board's decisions related to the Agenda items above in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence to the Board prior to the public hearing.

In compliance with the Americans with Disabilities Act, if you need special assistance to review Agenda materials or participate in this meeting, please contact the District Secretary at (805) 688-6015. Notification 72 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting.



**PRESS RELEASE**  
**June 8, 2021**

**News Media Contact:**  
Jackie Ruiz, MPH  
Public Information Officer  
(805) 896-1057 (cell)  
[jacruiz@sbcphd.org](mailto:jacruiz@sbcphd.org)

**SANTA BARBARA COUNTY MOVES TO THE YELLOW TIER**

**(SANTA BARBARA, Calif.)** –Santa Barbara County has met the State's Yellow Tier case rate and positivity rate allowing movement into the less restrictive Yellow Tier, effective Wednesday, June 09, 2021 at 8 a.m. A new Health Officer Order will be issued which includes guidance on business operations in the Yellow Tier. The new Health Officer Order will further ease restrictions and allow more indoor activities, in accordance with the rules and framework of the Blueprint for a Safer Economy.

To qualify for the Yellow Tier, a region must have an adjusted case rate less than 2 cases per every 100,000 residents, a testing positivity rate of less than 2%, and less than 2.2% positive tests for the health equity quartile. Santa Barbara County's adjusted case rate is 0.9 cases per every 100,000 residents, the positivity rate stands at 0.7%, and the positive tests for the health equity quartile stand at 1.0%.

"The vaccines are working and the State will be lifting most restrictions beginning June 15. In particular masking except for in many workplaces, will become optional states Dr. Henning Ansorg, Health Officer for Santa Barbara County. "We all play an important part in defeating this virus and the community as a whole is safer the more persons are fully vaccinated. The vaccines have been shown to be very safe and effective even against newer variants of the virus. If you haven't done so already, please get vaccinated today."

Here are some of the changes allowed under the Yellow Tier as listed in the Blueprint for a Safer Economy Activities Chart:

- **Restaurants:** Indoor seating increases to 50% capacity or 200 people maximum (whichever is less).
- **Gyms and Fitness Centers:** 50% capacity indoors; saunas and steam rooms can open.
- **Wineries and Breweries:** 50% capacity or 200 people indoors maximum (whichever is less).
- **Movie Theaters:** 50% capacity.
- **Museums, Zoos and Aquariums:** Open indoors with modifications.
- **Places of Worship:** 50% capacity indoors with modifications.
- **Bars with no food service:** Open indoors with modifications, 25% capacity or 100 people maximum (whichever is less).
- **All retail:** No capacity limits.

For more information about the COVID-19 response locally, please visit <https://publichealthsb.org> or call 2-1-1.

**Mary Martone**

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**From:** County of Santa Barbara <sbwebmaster@countyofsb.org>  
**Sent:** Tuesday, June 8, 2021 3:40 PM  
**To:** Mary Martone  
**Subject:** COVID-19: Santa Barbara County Moves to the Yellow Tier June 9 / El Condado de Santa Bárbara Pasa al Nivel Amarillo 9 de Junio

# THE YELLOW TIER IS HERE

**Santa Barbara County is in the YELLOW Tier  
Effective 8 a.m., Wednesday, June 9, 2021**



[PublicHealthSBC.org](https://PublicHealthSBC.org)

**EN ESPAÑOL**

## SANTA BARBARA COUNTY MOVES TO THE YELLOW TIER, EFFECTIVE 8 A.M. JUNE 9

Santa Barbara County has met the State's Yellow Tier case rate and positivity rate allowing movement into the less restrictive Yellow Tier, effective 8 a.m. Wednesday, June 9, 2021.

A new Health Officer Order will be issued that includes guidance on business operations in the Yellow Tier. The new Health Officer Order will further ease restrictions and allow more indoor activities, in accordance with the rules and framework of the Blueprint for a Safer Economy.

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case rate is 0.9 cases per every 100,000 residents, the positivity rate stands at 0.7%, and the positive tests for the health equity quartile stand at 1.0%.

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For more information about the COVID-19 response locally, please visit [publichealthsb.org](http://publichealthsb.org) or call 2-1-1.



[PublicHealthSBC.org](http://PublicHealthSBC.org)

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**HEALTH OFFICER ORDER NO. 2021-12.9  
COUNTY OF SANTA BARBARA**

**FOR THE CONTROL OF COVID-19  
PHASED REOPENING WITHIN SANTA BARBARA COUNTY**

**Health Officer Order No. 2021-12.9 Supersedes and Replaces Health Officer  
Order No. 2021-12.8**

**Effective Date: June 9, 2021, 8:00 a.m. PT unless otherwise stated  
(Changes are underlined.)**

**Please read this Order carefully.** Violation of or failure to comply with this Order may constitute a misdemeanor punishable by fine of up to \$1,000, imprisonment, or both, or result in administrative fines. (Health and Safety Code §§ 101029, 120295 et seq.; County Ord. No. 5120.) Violators are also subject to civil enforcement actions including fines or civil penalties per violation per day, injunctive relief, and attorneys' fees and costs.

This Health Officer Order No. 2021-12.9 supersedes and replaces Health Officer Order No. 2021-12.8 that was effective May 20, 2021. Nothing in this Health Officer Order supersedes State Executive Orders or State Public Health Officer Orders. COVID-19 industry specific guidance provided by the California Department of Public Health (CDPH) is available at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/Guidance.aspx#>.

**Summary: As of June 8, 2021, within the State COVID-19 reopening framework the State has classified the County of Santa Barbara as Tier Four (“yellow” or “minimal”); this is less restrictive for some Businesses and Activities than what was previously allowed under the County’s former classification in Tier Three (“orange” or “moderate risk”).**

**Consistent with the State Public Health Officer Order issued August 28, 2020, and the May 18, 2021 update to the Blueprint for a Safer Economy, this Health Officer Order allows the reopening of Businesses and Activities. To align with the State’s required framework under the “yellow” tier, this Health Officer Order also continues and expands some capacity allowances for some Businesses. Businesses that may remain open, or open indoor operations with modifications include but are not limited to: non-essential offices, education, restaurants, museums, zoos, movie theaters, gyms and fitness centers, skating rinks, indoor steam rooms, hot tubs and saunas, and Temporary Food Facilities, as listed in Attachment A. All Businesses and Activities (as defined) must follow State and local orders.**

**Consistent with the State Public Health Officer Order issued August 28, 2020, and the May 18, 2021 update to the Blueprint for a Safer Economy, this Health Officer Order maintains the closure of the Businesses and Activities listed in Attachment B: dances and festivals.**

WHEREAS, on March 4, 2020, Governor Newsom declared a state of emergency for conditions caused by a novel coronavirus, COVID-19, and on March 11, 2020, the World Health Organization declared COVID-19 a global pandemic, and on March 12, 2020, the County of Santa Barbara declared a local emergency and a local health emergency in relation COVID-19 in the community; and

WHEREAS, in the County of Santa Barbara as well as throughout California and the nation, there are

insufficient quantities of critical healthcare infrastructure, including hospital beds, ventilators and workers, capable of adequately treating mass numbers of patients at a single time – should the virus spread unchecked; and

WHEREAS, in direct response to the lack of healthcare infrastructure, governments across the nation are taking actions to slow the spread of COVID-19 in order to “flatten the curve” of infection and reduce the numbers of individuals infected at any one time by minimizing situations where the virus can spread; and

WHEREAS, in furtherance of this effort, on March 19, 2020, Governor Newsom issued Executive Order N-33-20 requiring all persons residing in the State to remain in their homes or places of residence, except as needed to maintain the continuity of operations for critical infrastructure (the “State Stay-at-Home Order”); and

WHEREAS, also on March 19, 2020, the State Public Health Officer ordered all individuals living in the State of California to stay home or at their place of residence, except as needed updated on March 28, 2020; and

WHEREAS, on March 20, 2020, the State Public Health Officer designated a list of Essential Critical Infrastructure Workers, to help state, local, tribal, and industry partners as they work to protect communities, while ensuring continuity of functions critical to protect public health and safety, which was updated on March 22, 2020; and

WHEREAS, on May 4, 2020, Governor Newsom issued Executive Order N-60-20 to allow reopening of lower-risk businesses and spaces in stages. On May 7, 2020, the State Public Health Officer ordered that upon certification of a variance application a County could move through the stages of reopening at their own pace. On May 20, 2020, the CDPH approved the County of Santa Barbara’s Variance Attestation; and

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WHEREAS, on July 1, 2020, CDPH instructed counties which had been on the State’s County Monitoring list for more than three consecutive days to immediately close all bars, breweries, pubs and brewpubs, as well as indoor operations of Businesses for specified industries and sectors. On July 13, 2020, the State Public Health Officer ordered counties which had been on the State’s County Monitoring list for more than three consecutive days to close indoor operations of: gyms and fitness centers; places of worship; protests; offices for non-essential critical infrastructure sectors defined at covid19.ca.gov; personal care services (including nail salons, massage parlors, and tattoo parlors); hair salons and barbershops; and malls; and

WHEREAS, on July 13, 2020, CDPH mandated that all CDPH industry or sector guidance issued must be followed including all infectious control measures, and the use of face coverings both indoors and outdoors in certain settings; and

WHEREAS, on August 28, 2020, the State Public Health Officer ordered an update to the framework for reopening, which is known as California’s Plan for Reducing COVID-19 and Adjusting Permitted Sector Activities to Keep Californians Healthy and Safe. Governor Newsom introduced this framework as the Blueprint for a Safer Economy, with a four-tiered color-coded county classification system: (1) purple represents the highest widespread risk level; (2) red represents substantial risk; (3) orange represents moderate risk; and, (4) yellow the lowest level, represents minimal risk; and



WHEREAS, on August 31, 2020, the County was classified as a Tier One, "purple", the highest widespread risk tier. From September 29, 2020 through November 16, 2020, the County of was classified as Tier Two, "red". On November 16, 2020, the County was classified back to Tier One, "purple"; and

WHEREAS, on December 3, 2020, and through a supplemental State Order on December 6, 2020, the State ordered the County through the Regional Stay At Home Order to close sectors except those supporting essential critical infrastructure sectors and limited retail operations because the Southern California Region's ICU capacity was less than 15%; and

WHEREAS, on December 22, 2020 the State issued a supplement to its November 19, 2020 Limited Stay At Home Order in which the State required Retail Businesses not identified as essential on the State's Essential Workforce and Sector index to cease operations between the hours of 10:00 p.m. and 5:00 a.m. PST; and

WHEREAS, on January 25, 2021 the State lifted the Regional Stay At Home Order and the Limited Stay At Home Order for all regions in the State, including the Southern California Region, based on projected ICU capacity of 15% or greater; and

WHEREAS, on January 25, 2021 the State notified the County that effective January 25, 2021 the County was classified in Tier One, the "purple" highest risk widespread tier under the Blueprint for a Safer Economy; and

WHEREAS, on March 16, 2021 the State notified the County that effective March 17, 2021 the County was classified in Tier Two, the "red" or "substantial risk" tier under the Blueprint for a Safer Economy; and

WHEREAS, as of March 4, 2021, the Blueprint for a Safer Economy was updated to reflect full swing vaccination efforts in California with the goal of achieving community immunity and in April 2021 California reached 4 million vaccination doses in the Vaccine Equity Benchmark; and

WHEREAS, on April 15, 2021 the CDPH issued updated recommendations and mandatory requirements for private and other gatherings that are not covered by existing sector guidance, and on May 18, 2021 the State updated the Blueprint for a Safer Economy Activity and Business Tiers; and

WHEREAS, on April 20, 2021 the State notified the County that it was classified in Tier Three, the "orange" or "moderate risk" tier under the Blueprint for a Safer Economy; and

WHEREAS, on June 8, 2021 the State notified the County that effective June 9, 2021 the County was classified in Tier Four, the "yellow" or "minimal risk" tier under the Blueprint for a Safer Economy; and

WHEREAS, the County Health Officer finds: (1) the County has received repeated reports that some businesses and individuals have refused to comply with the State Stay-at-Home Order, State guidance, and/or local Health Officer Orders; (2) the reported activities are inconsistent with the State Stay-at-Home and/or Santa Barbara County's classification tier; (3) guidance for businesses and individuals is required to prevent the potential increased spread of COVID-19 which would add strain to the County of Santa Barbara health care system; (4) without the guidance and restrictions described herein some businesses or individuals are likely to continue to impair efforts at mitigating the spread of the illness both within the County and statewide; and (5) distinctions made in this Order are to minimize the spread

of COVID-19 that could occur through proximity and duration of contact between individuals; and

WHEREAS, the Centers for Disease Control and Prevention and the CDPH find the use of face coverings may reduce asymptomatic transmission of COVID-19 and reinforce physical distancing, and that wearing a face covering combined with physical distancing of at least six feet, and frequent hand washing, will lessen the risk of COVID-19 transmission by limiting the spread of respiratory droplets; and

WHEREAS, the County Health Officer finds (1) a significant portion of individuals with COVID-19 are asymptomatic and can transmit the virus to others; (2) those who may develop symptoms can transmit the virus to others before showing symptoms; (3) scientific evidence shows COVID-19 is easily spread and public activities can result in transmission of the virus; (4) face coverings are necessary because COVID-19 is highly contagious and is spread through respiratory droplets that are produced when an infected person coughs, sneezes, or talks. These droplets may land on other people or be inhaled into their lungs, may land on and attach to surfaces where they remain for days, and may remain viable in the air for up to three hours, even after the infected person is no longer present; (5) when worn properly, face coverings have the potential to slow the spread of the virus by limiting the spread of respiratory droplets; and (6) distinctions made in this Order are to minimize the spread of COVID-19 that could occur through proximity and duration of contact between individuals; and

WHEREAS, the intent of this Order is to temporarily require the use of Face Coverings to slow the spread of COVID-19 in Santa Barbara County to the maximum extent possible and to order Businesses and Activities in the County of Santa Barbara regarding operations under the County of Santa Barbara's Tier Three, "orange", moderate risk classification under California's Plan for Reducing COVID-19 and Adjusting Permitted Sector Activities to Keep Californians Healthy and Safe, as amended, and to slow the spread of COVID-19 to the maximum extent possible. All provisions of this Order should be interpreted to effectuate this intent.

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**ACCORDINGLY, UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, 101085, AND 120175, TITLE 17 CALIFORNIA CODE OF REGULATIONS SECTION 2501, THE HEALTH OFFICER OF THE COUNTY OF SANTA BARBARA ORDERS:**

1. This Order 2021-12.9 is effective 8:00 a.m. (PT) June 9, 2021, unless otherwise stated, and continues until 11:59 p.m. (PT), on June 15, 2021 or until it is extended, rescinded, superseded, or amended in writing by the County of Santa Barbara Health Officer ("Health Officer"). This Order applies in the incorporated and unincorporated areas of Santa Barbara County ("County").
2. **Face Coverings.** All persons in Santa Barbara County must comply with the State's Guidance for the Use of Face Coverings at all times. This guidance is available at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/guidance-for-face-coverings.aspx>. Face coverings continue to be required for all individuals, regardless of vaccination status, in public indoor settings, including but not limited to stores, medical offices, barbershops / hair salons, gyms / fitness centers, when using public transportation or ride-sharing services, and schools. If you cannot afford a face covering one will be provided to you free-of-charge at the following locations:
  - a. Santa Barbara County Administration building lobby, 105 E Anapamu St, Santa Barbara.
  - b. Santa Barbara Health Care Center, 345 Camino del Remedio, Santa Barbara.
  - c. Santa Maria Health Care Center, 2115 Centerpointe Parkway, Santa Maria.

- d. Face coverings may also be available by calling 211 to access offers by community groups at no cost.
  - e. The Health Officer requests cities within the County of Santa Barbara provide face coverings free-of-charge to those cannot afford them.
3. **Limited gatherings allowed.** This section applies to private gatherings, and all other gatherings not covered by existing sector guidance included in Attachments A and B of this Order. When people from different households mix, this increases the risk of transmission of COVID-19.
- a. Gatherings shall follow CDPH guidance available at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Guidance-for-the-Prevention-of-COVID-19-Transmission-for-Gatherings-November-2020.aspx>.
  - b. The prohibition on gatherings does not apply to congregate living situations, including dormitories, and homeless encampments.
4. "Business" or "Businesses" for the purpose of this Health Officer Order is defined to mean any institution, establishment, public or private agency, for-profit, non-profit, or educational entity, whether an organization, corporate entity, partnership, or sole proprietorship.
5. "Activity" or "Activities" for the purpose of this Health Officer Order is defined to mean any behavior, action, or actions taken by an individual, group, or Business.
6. All Businesses except those listed in Attachment B, as attached hereto and incorporated by this reference, may, remain open or open, upon completion of, and in accordance with all of the following:
- a. Perform a detailed risk assessment including reviewing State and local guidance relevant to the Business and create a site-specific protection plan;
  - b. Train employees about how to limit the spread of COVID-19 including how to screen themselves for COVID-19 symptoms and when to stay home. COVID-19 symptoms are described in Attachment C;
  - c. Set up individual control measures and screenings;
  - d. Put disinfection protocols in place;
  - e. Observe "Face Covering" orders in effect from the local health officer and/or the California Department of Public Health;
  - f. If operating outdoors, a tent, canopy, or other sun shelter may be used in accordance with Section 10 of this Order, Use of Temporary Structures for Outdoor Business;
  - g. Complete the RISE attestation, including its social distancing protocol, and self-certification process at: <https://recoverysbc.org/reopen-your-business/>. (If a Business does not have access to the internet it can call 805-681-5508); and
  - h. Post the self-certification / RISE attestation at the Business location.
  - i. All Businesses and Activities operating indoors must follow the CDPH / Cal-OSHA Interim guidance for Ventilation, Filtration, and Air Quality in Indoor Environments issued February 26, 2021, as described at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Interim-Guidance-for-Ventilation-Filtration-and-Air-Quality-in-Indoor-Environments.aspx>.
7. Businesses listed in Attachment A, as attached hereto and incorporated by this reference, are

subject to the additional modifications described in Attachment A such as outdoor only operations or indoor capacity limits. For purposes of this Order, "capacity" means occupancy limits designated by the applicable Fire Marshall. Employees are excluded from the capacity limitations described in Attachment A.

8. Businesses listed in Attachment B, as attached hereto and incorporated by this reference, must keep physical locations closed. Activities listed in Attachment B are not allowed. Businesses and Activities listed in Attachment B may continue so long as those Businesses or Activities can occur remotely and without individuals physically present, unless an exception applies. Maintenance to prevent property damage of the Businesses listed in Attachment B is allowed. This list may be amended from time to time, as required for our region's response to COVID-19.
9. Emergency Food Permit. Breweries, bars, brewpubs, pubs, wineries, tasting rooms, and distilleries that serve alcoholic beverages but that do not currently have an on-site permitted food facility and would like to serve food:
  - a. Must obtain an Emergency Food Permit issued by the Santa Barbara County Health Department to temporarily serve food.
  - b. A brewery, bar, brewpub, pub, winery, tasting room, or distillery in possession of an Emergency Food Permit issued by the Santa Barbara County Health Department may continue to temporarily serve food at their discretion, unless otherwise suspended, revoked, or terminated.
  - c. A bar, brewpub, or pub, in possession of an Emergency Food Permit issued by the Santa Barbara County Health Department may cease operations of food service at their discretion.
10. Use of Temporary Structures for Outdoor Business Operations: All temporary structures constructed for outdoor business operations must comply with the CDPH guidance found at:  
<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Use-of-Temporary-Structures-for-Outdoor-Business-Operations.aspx>.

This Order is issued as a result of the worldwide pandemic of COVID-19 which has infected at least 174,572,459 individuals worldwide, in 219 countries and territories, including 34,541 cases, and 451 deaths in the County, and is implicated in over 3,756,686 worldwide deaths.

This Order is issued based on evidence of continued community-based transmission of COVID-19 both within the County and worldwide, scientific evidence regarding the most effective approach to slow transmission of communicable diseases generally and COVID-19 specifically, as well as best practices as currently known and available to protect the public from the risk of spread of or exposure to COVID-19.

This Order is issued because of the propensity of the virus to spread person to person and also because the virus physically is causing property loss or damage due to its proclivity to attach to surfaces for prolonged periods of time.

This Order is intended to reduce the likelihood of exposure to COVID-19, thereby slowing the spread of COVID-19 in communities worldwide. As the presence of individuals increases, the difficulty and magnitude of tracing individuals who may have been exposed to a case rises exponentially.

This Order is issued in accordance with, and incorporates by reference: the March 4, 2020 Proclamation of a State Emergency issued by Governor Gavin Newsom; the March 12, 2020 Declaration of Local Health Emergency and Proclamation of Emergency based on an imminent and proximate threat to public health from the introduction of novel COVID-19 in the County; the March 17, 2020 Resolution of the Board of Supervisors ratifying the County Declaration of Local Health Emergency and Proclamation of Emergency regarding COVID-19; the guidance issued on March 11, 2020 by the California Department of Public Health regarding large gatherings of 250 people or more; Governor Gavin Newsom's Executive Order N-25-20 of March 12, 2020 preparing the State to commandeer hotels and other places of temporary residence, medical facilities, and other facilities that are suitable as places of temporary residence or medical facilities as necessary for quarantining, isolating or treating individuals who test positive for COVID-19 or who have had a high-risk exposure and are thought to be in the incubation period; the March 13, 2020 Presidential Declaration of a National Emergency due to the national impacts of COVID-19; the guidance issued on March 15, 2020 by the Centers for Disease Control and Prevention, the California Department of Public Health, and other public health officials through the United States and around the world recommending the cancellation of gatherings involving more than fifty (50) or more persons in a single space at the same time; the March 16, 2020 order of the State Public Health Officer prohibiting all gatherings with expected presence above ten (10) individuals; Governor Newsom's Executive Order N-33-20 of March 19, 2020 ordering all persons to stay at home to protect the health and well-being of all Californians and to establish consistency across the state in order to slow the spread of COVID-19; the March 22, 2020, Presidential Declaration of a Major Disaster in California beginning on January 20, 2020 under Federal Emergency Management Agency (FEMA) Incident DR-4482-CA; Governor Newsom's Executive Order N-60-20 of May 4, 2020 to allow reopening of lower-risk businesses and spaces ("Stage Two"), and then to allow reopening of higher-risk businesses and spaces ("Stage Three"), and directing the Public Health Officer to establish criteria and procedures to determine whether and how particular local jurisdictions may implement public health measures that depart from the statewide directives of the State Public Health Officer; the May 7, 2020, State Public Health Officer Order; the July 13, 2020 State Public Health Officer Order; the August 28, 2020 State Public Health Officer Order called California's Plan for Reducing COVID-19 and Adjusting Permitted Sector Activities to Keep Californians Healthy and Safe, as amended; the November 16, 2020 California Department of Public Health Guidance for the Use of Face Coverings; the January 25, 2021 lifting of the Regional and Limited Stay at Home Orders; CDPH / Cal-OSHA Interim guidance for Ventilation, Filtration, and Air Quality in Indoor Environments issued February 26, 2021; the April 15, 2021 CDPH Updated Guidance for Gatherings; and the Blueprint for a Safer Economy Activity and Business Tiers issued May 18, 2021.

This Order is made in accordance with all applicable State and Federal laws, including but not limited to: Health and Safety Code sections 101040 and 120175; 101030 et seq., and 120100 et seq.; and Title 17 of the California Code of Regulations section 2501.

If any provision of this Order or the application thereof to any person or circumstance is held to be invalid by a court of competent jurisdiction, the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

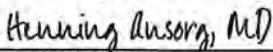
The violation of any provision of this Order constitutes a threat to public health. Pursuant to Government Code sections 26602 and 41601 and Health and Safety Code sections 101029 and 120295, the Health Officer requests that the Sheriff and all chiefs of police in the County ensure compliance with and enforce this Order. Per Health and Safety Code section 101029, "the sheriff of each county, or city and county, may enforce within the county, or the city and county, all orders of the local health officer issued

for the purpose of preventing the spread of any contagious, infectious, or communicable disease. Every peace officer of every political subdivision of the county, or city and county, may enforce within the area subject to his or her jurisdiction all orders of the local health officer issued for the purpose of preventing the spread of any contagious, infectious, or communicable disease. This section is not a limitation on the authority of peace officers or public officers to enforce orders of the local health officer. When deciding whether to request this assistance in enforcement of its orders, the local health officer may consider whether it would be necessary to advise the enforcement agency of any measures that should be taken to prevent infection of the enforcement officers."

Copies of this Order shall promptly be: (1) made available at the County Public Health Department; (2) posted on the County Public Health Department's website ([publichealthsb.org](http://publichealthsb.org)); and (3) provided to any member of the public requesting a copy of this Order.

IT IS SO ORDERED:

DocuSigned by:



Henning Ansong, M.D.

Health Officer

Santa Barbara County Public Health Department

## ATTACHMENT A

### COUNTY OF SANTA BARBARA HEALTH OFFICER ORDER NO. 2021-12.9

**Businesses not listed in this Attachment A are not subject to additional occupancy limits but must follow the applicable requirements in the above Order including but not limited to Section 6.**

Businesses and Activities listed in this Attachment A must comply with the requirements in Section 6 of this Health Officer Order and the additional modifications described below. For purposes of this Order, "capacity" means occupancy limits designated by the applicable Fire Marshall. Employees are excluded from the capacity limitations described below.

1. Amusement, theme parks, and fairs may reopen with the following additional modifications:
  - a. Occupancy limited to 35% capacity;
  - b. Indoor occupancy limited to 25% capacity with time restrictions;
  - c. Weekly worker optional testing program; and
  - d. In-state visitors only, except that fully vaccinated persons from out of state may visit or participate in activities or events that are restricted to in-state visitors.
2. Brewpubs, bars, and pubs that do not serve meals with indoor occupancy limited to 25% of capacity or 100 people, whichever is fewer.
  - a. Brewpubs, bars, and pubs that provide bona fide meals must follow the CDPH dine-in restaurant guidance and should continue to encourage outdoor dining or takeout and delivery service whenever possible. Indoor occupancy is limited to 50% of capacity. Diners at different tables must be separated by a minimum of six feet measured person-to-person.
  - b. Brewpubs, bars, and pubs that do not provide bona fide meals, but wish to operate as a restaurant under this Order must obtain an Emergency Food Permit as described above in Section 9 of this Order.
  - c. This section also applies to bars located at permitted food facilities.
3. Breweries and Distilleries where no meals are provided may open indoors with indoor occupancy limited to 50% capacity or 200 people, whichever is fewer.
4. Cardrooms with indoor occupancy limited to 50% capacity.
5. Climbing walls with indoor occupancy limited to 50% of capacity.
6. Community Centers that are hosting Private Events in accordance with Section 20 in this Attachment OR are operating as gyms / fitness centers in accordance with Section 12 of this Attachment OR are hosting Gatherings in accordance with Section 3 of this Order.
7. Cultural ceremonies may operate indoors. Indoor capacity limits are not mandatory but are recommended to be limited to 50% capacity. Except for the capacity limitations in the CDPH guidance, cultural ceremonies must adhere to the additional modifications required by CDPH available at <https://files.covid19.ca.gov/pdf/guidance-places-of-worship--en.pdf>.
8. Dance halls that are hosting Private Events in accordance with Section 20 in this Attachment OR are operating as gyms / fitness centers in accordance with Section 12 of this Attachment OR are hosting gatherings in accordance with Section 3 of this Order.
9. Dance studios with indoor occupancy limited to 50% of capacity.

10. Education:
  - a. In-person higher education including technical schools, colleges, universities, adult education, and trade schools for indoor lectures and student gatherings must be limited to 50% capacity. Courses offered in specialized indoor settings (e.g. labs, studio arts), whose design imposes substantial physical distancing on participants may be open at regular capacity.
  - b. TK-12 schools and school-based programs may fully reopen for in-person instruction following the January 14, 2021 COVID-19 and Reopening In-Person Instruction Framework and Public Health Guidance for K-12 Schools in California, 2020-2021 School year, as outlined at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/COVID19-K12-Schools-InPerson-Instruction.aspx>.
11. Family Entertainment Centers may operate indoors with additional modifications:
  - a. Occupancy is limited to 50% capacity; or
  - b. Occupancy may increase to 75% capacity if all guests show proof of full vaccination OR a negative COVID-19 test (within 24 hours for an antigen test or 72 hours for a PCR test) prior to entrance.
  - c. 100% masking is required except for food and beverage service;
  - d. Food and beverage consumption must be restricted to designated areas separated from activity areas; and
12. Fitness centers, gyms, and studios including but not limited to those for dance, yoga, pilates, crossfit, cycling, boxing, and martial arts (collectively referred to as "gyms") and those at hotels, lodging, and short-term rentals, with indoor occupancy limited to 50% of capacity.
13. Funeral Homes with indoors capacity limited to 50%. Receptions for funerals must comply with the guidance for Private Events, described in Section 20 of this Attachment.

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14. Live Indoor Seated Events and Performances with additional modifications described in CDPH guidance and the Blueprint For a Safer Economy Activity and Business Tiers as available at [https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/COVID-19/Dimmer-Framework-September\\_2020.pdf](https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/COVID-19/Dimmer-Framework-September_2020.pdf).
15. Live Outdoor Seated Events and Performances with additional modifications described in CDPH guidance and the Blueprint For a Safer Economy Activity and Business Tiers as available at [https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/COVID-19/Dimmer-Framework-September\\_2020.pdf](https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/COVID-19/Dimmer-Framework-September_2020.pdf).
16. Movie Theaters with indoor occupancy limited to 50% capacity.
17. Overnight sleepaway camps may operate with additional modifications required by CDPH, available at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Guidance-for-Overnight-Camps.aspx>.
18. Places of worship may operate indoors. Capacity limits are not mandatory but are recommended to be limited to 50% capacity. Except for the capacity limitations in the CDPH guidance, places of worship must adhere to the additional modifications required by CDPH available at <https://files.covid19.ca.gov/pdf/guidance-places-of-worship--en.pdf>.
19. Playgrounds, indoors, may operate following the guidance for Family Entertainment Centers, described in Section 11 of this attachment.



20. Private Events, such as meetings, receptions, and conferences are allowed with the additional following restrictions:
  - a. Purchased tickets or defined guest list required.
  - b. Seating chart or assigned seating required.
  - c. No intermingling of multiple private events may occur at a venue site or location.
  - d. Outdoor private events may have a maximum of 200 people. Capacity may increase to 400 if all guests show proof of full vaccination OR a negative COVID-19 test (within 24 hours for an antigen test or 72 hours for a PCR test) prior to attendance.
  - e. Indoor private events are allowed with a maximum of 200 people only if all guests show proof of full vaccination OR a negative COVID-19 test (within 24 hours for an antigen test or 72 hours for a PCR test) prior to attendance.
21. Private social clubs that are hosting Private Events in accordance with Section 20 in this Attachment OR Gatherings in accordance with Section 3 of this Order.
22. Raceways or racetracks must follow the guidance for Live Indoor Seated Events and Performances or Live Outdoor Seated Events and Performances, in Sections 14 or 15 of this Attachment, as appropriate.
23. Restaurants (dine-in) with indoor occupancy limited to 50% of capacity. Outdoor dining, take-out and delivery allowed and encouraged. Diners at different tables must be separated by a minimum of six feet measured person-to-person.
24. Shopping mall food courts or swap meet food courts may open with additional modifications. Food court facilities must follow the CDPH guidance for restaurants (dine-in). Food court facilities indoor occupancy is limited to 50% of capacity. Diners at different tables must be separated by a minimum of six feet measured person-to-person.
25. Satellite wagering with indoor occupancy limited to 50% capacity.
26. Skating rinks, such as ice and roller, may operate indoors with the following additional modifications:
  - a. Occupancy is limited to 50% capacity; or
  - b. Occupancy may increase to 75% capacity if all guests show proof of full vaccination OR a negative COVID-19 test (within 24 hours for an antigen test or 72 hours for a PCR test) prior to entrance.
  - c. Food/beverage service in designated areas only.
  - d. Professional sporting events with live audiences may operate indoors following the guidance for Live Seated Indoor Events and Performances in Section 14 of this Attachment.
27. Sports: organized and team sports including youth, adult, amateur (non-professional) team sports, professional sports, and indoor conditioning and drills as follows:
  - a. Professional sports may allow live audiences and must adhere to the guidance for Live Indoor Seated Events and Performances or Live Outdoor Seated Events and Performances, as applicable, in Sections 14 or 15 in this Attachment.
  - b. Youth sports and physical education in accordance with CDPH guidance for Outdoor and Indoor Youth and Recreational Adult sports available at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/outdoor-indoor-recreational-sports.aspx>. Competitions may include multiple teams for youth sports where individual competitors from multiple teams are routine, such as: track and field, cross-country, golf, skiing, snowboarding, tennis, swimming, diving, surfing,

- biking, and equestrian events. Multi-team competitions must include only teams from California. Participating teams from outside of the County must have authorization from their local health department to participate in multi-team competitions.
- c. Intercollegiate athletics in compliance with the CDPH Industry Sector Guidance for Institutions of Higher Education – Specific Interim Guidance for Collegiate Athletics available at <https://files.covid19.ca.gov/pdf/guidance-higher-education--en.pdf>.
  - d. Adult recreational sports in compliance with the CDPH Industry Sector Guidance for Outdoor and Indoor Youth and Recreational Adult Sports, as defined at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/outdoor-indoor-recreational-sports.aspx>.
28. Temporary Food Facilities operating with a permit from Santa Barbara County Public Health Department Division of Environmental Health Services, when held in conjunction with community events allowed by this Order. Temporary Food Facilities must adhere to the CDPH guidance for restaurants in accordance with Section 23 of this Attachment.
29. Wedding ceremonies (religious or non-religious) must follow the guidance and additional modifications required by CDPH for places of worship and providers of religious services and cultural ceremonies. Receptions for weddings must comply with the guidance for Private Events, described in Section 20 of this Attachment.
30. Wineries and tasting rooms with indoor occupancy limited to 50% of capacity or 200 people, whichever is fewer.

## **ATTACHMENT B**

### **COUNTY OF SANTA BARBARA HEALTH OFFICER ORDER NO. 2021-12.9**

#### **Businesses that Must Keep Physical Locations Closed; Activities Not Allowed at This Time**

1. Dances
2. Festivals, public exhibitions

## ATTACHMENT C

COUNTY OF SANTA BARBARA HEALTH OFFICER ORDER NO. 2021-12.9

### COVID-19 SELF-EVALUATION

The County Health Officer has defined COVID-19 symptoms as follows:

Mild to Moderate Symptoms Related to or  
Other Respiratory Illness such as:

Fever or Chills

Cough

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Shortness of Breath or Difficulty Breathing

Fatigue

Muscle or Body Aches

Headache

New Loss of Taste and/or Smell

Sore Throat

Congestion or Runny Nose

Nausea or Vomiting

Diarrhea



## NEWS RELEASE

Release  
Number: 2021-58

June 4, 2021

### Standards Board Readopts Revised Cal/OSHA COVID-19 Prevention Emergency Temporary Standards

The revised Cal/OSHA standards are expected to go into effect no later than June 15

Sacramento — The Occupational Safety and Health Standards Board on June 3 readopted Cal/OSHA's revised COVID-19 prevention emergency temporary standards.

Last year, the Board adopted health and safety standards to protect workers from COVID-19. The standards did not consider vaccinations and required testing, quarantining, masking and more to protect workers from COVID-19.

The changes adopted by the Board phase out physical distancing and make other adjustments to better align with the state's June 15 goal to retire the Blueprint. Without these changes, the original standards, would be in place until at least October 2. These restrictions are no longer required given today's record low case rates and the fact that we've administered 37 million vaccines.

The revised emergency standards are expected to go into effect no later than June 15 if approved by the Office of Administrative Law in the next 10 calendar days. Some provisions go into effect starting on July 31, 2021.

The revised standards are the first update to Cal/OSHA's temporary COVID-19 prevention requirements adopted in November 2020.

The Board may further refine the regulations in the coming weeks to take into account changes in circumstances, especially as related to the availability of vaccines and low case rates across the state.

The standards apply to most workers in California not covered by Cal/OSHA's Aerosol Transmissible Diseases standard. Notable revisions include:

- **Face Coverings:**
  - Indoors, fully vaccinated workers without COVID-19 symptoms do not need to wear face coverings in a room where everyone else is fully vaccinated and not showing symptoms. However, where there is a mixture of vaccinated and unvaccinated persons in a room, all workers will continue to be required to wear a face covering.
  - Outdoors, fully vaccinated workers without symptoms do not need to wear face coverings. However, outdoor workers who are not fully vaccinated must continue to wear a face covering when they are less than six feet away from another person.
- **Physical Distancing:** When the revised standards take effect, employers can eliminate physical distancing and partitions/barriers for employees working indoors and at outdoor mega events if they provide respirators, such as N95s, to unvaccinated employees for voluntary use. After July 31, physical distancing

and barriers are no longer required (except during outbreaks), but employers must provide all unvaccinated employees with N95s for voluntary use.

- **Prevention Program:** Employers are still required to maintain a written COVID-19 Prevention Program but there are some key changes to requirements:
  - Employers must review the California Department of Public Health's Interim guidance for Ventilation, Filtration, and Air Quality in Indoor Environments.
  - COVID-19 prevention training must now include information on how the vaccine is effective at preventing COVID-19 and protecting against both transmission and serious illness or death.
- **Exclusion from the Workplace:** Fully vaccinated workers who do not have COVID-19 symptoms no longer need to be excluded from the workplace after a close contact.
- **Special Protections for Housing and Transportation:** Special COVID-19 prevention measures that apply to employer-provided housing and transportation no longer apply if all occupants are fully vaccinated.

The Standards Board will file the readoption rulemaking package with the Office of Administrative Law, which has 10 calendar days to review and approve the temporary workplace safety standards enforced by Cal/OSHA. Once approved and published, the full text of the revised emergency standards will appear in the Title 8 sections 3205 (COVID-19 Prevention), 3205.1 (Multiple COVID-19 Infections and COVID-19 Outbreaks), 3205.2 (Major COVID-19 Outbreaks) 3205.3 (COVID-19 Prevention in Employer-Provided Housing) and 3205.4 (COVID-19 Prevention in Employer-Provided Transportation) of the California Code of Regulations. Pursuant to the state's emergency rulemaking process, this is the first of two opportunities to readopt the temporary standards after the initial effective period.

The Standards Board also convened a representative subcommittee to work with Cal/OSHA on a proposal for further updates to the standard, as part of the emergency rulemaking process. It is anticipated this newest proposal, once developed, will be heard at an upcoming Board meeting. The subcommittee will provide regular updates at the Standards Board monthly meetings.

The Occupational Safety and Health Standards Board, a seven-member body appointed by the Governor, is the standards-setting agency within the Cal/OSHA program. The Standards Board's objective is to adopt reasonable and enforceable standards at least as effective as federal standards. The Standards Board also has the responsibility to grant or deny applications for permanent variances from adopted standards and respond to petitions for new or revised standards.

The California Division of Occupational Safety and Health, or Cal/OSHA, is the division within the Department of Industrial Relations that helps protect California's workers from health and safety hazards on the job in almost every workplace. Cal/OSHA's Consultation Services Branch provides free and voluntary assistance to employers to improve their health and safety programs. Employers should call (800) 963-9424 for assistance from Cal/OSHA Consultation Services.

**Contact:** Erika Monterroza / Frank Polizzi, [Communications@dir.ca.gov](mailto:Communications@dir.ca.gov), (510) 286-1161.

The California Department of Industrial Relations, established in 1927, protects and improves the health, safety, and economic well-being of over 18 million wage earners, and helps their employers comply with state labor laws. DIR is housed within the Labor & Workforce Development Agency

Published on *The National Law Review* (<http://www.natlawreview.com>)

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# Cal/OSHA Passes Amended COVID-19 Emergency Temporary Standard – What Changed?

Article By:

Sean Paisan

Cressinda D. Schlag

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On May 20, 2021, the Cal/OSHA Standards Board (“Board”) delayed a vote on proposed changes to the COVID-19 Emergency Temporary Standards (“ETS”). At that time, the Board claimed they would revise the ETS to address updated guidance from the Centers for Disease Control and Prevention (“CDC”) for fully vaccinated persons. However, the revised ETS passed by the Board late on June 3rd falls short of following all of the CDC’s newest guidance and takes a more restrictive approach than previously proposed revisions.

The amended ETS will be submitted to the Office of Administrative Law (“OAL”) and the OAL has 10 calendar days to approve, just in time for the reopening of California on June 15<sup>th</sup>. It is assumed the ETS will be approved by the OAL.

Here are the changes to the ETS that California employers should be aware of:

- **Physical distancing:** The 6 feet physical distancing requirements will remain in place until July 31, 2021. However, the amended ETS adds the following exceptions to physical distancing:
  - An employee wearing a respirator if required by the employer and used in compliance with the Respiratory Protection Standard in Cal. Code. Regs., tit. 8, section 5144.
  - Locations at which all employees are fully vaccinated, except for employees who require a reasonable accommodation or exception to vaccination under federal or state law.
- **Face coverings:** Employers are still required to provide face coverings and ensure face coverings are worn when indoors, when outdoors and less than 6 feet away from others, and where required by orders from the California Department of Public Health or local orders. However, the following exceptions apply:
  - When an employee is either alone in a room or when all persons in a room are fully vaccinated.
  - Employees who wear respirators as required by other sections.
  - Employees who are fully vaccinated when they are outdoors and do not have any COVID-19 symptoms.

Employers looking to take advantage of the exceptions for social distancing and face coverings will also have to have effective documentation showing affected employees are fully vaccinated as required by the ETS. This will create some additional compliance obligations with respect to medical records and the protection of employees’ private and confidential information.

- **Respirators for unvaccinated employees:** Effective July 31, 2021, employers must provide filtering facepiece respirators (i.e., NIOSH-approved devices that are able to filter particulate matter, such as the N95s) to employees that are not vaccinated for voluntary.

Employers should note that respirators are different from face coverings, in that respirators provide personal protection to the individual wearing the respirator. Face coverings, in contrast, are meant to provide source control. As a result of this requirement, employers will also need to comply with Title 8, Section 5144(c)(2), which has specific requirements for voluntary respirator use, such as providing certain information to users contained in Appendix D of Section 5144. Employers must similarly develop written procedures for employees to use respirators in the workplace that ensure employees' use of respirators does not pose a hazard and that respirators are used in a correct manner.

- **Partitions:** Partitions must continue to be used until July 31, 2021, to protect employees working indoors and at outdoor mega-events. One exception to this is to provide respirators for voluntary use in compliance with Section 5144(c)(2). After July 31, 2021, employers could remove partitions but would be required to reinstall them in the case of multiple COVID-19 infections or outbreaks in the workplace.
- **Exclusion:** Fully vaccinated employees that test positive for COVID-19 (or are otherwise considered a COVID-19 case) must still be excluded from the workplace until the return to work requirements (same as the prior ETS) are met. However, fully vaccinated employees no longer need to be excluded from the workplace due to a close contact, so long as they do not develop symptoms.
- **Testing:** Employers must continue to make COVID-19 testing available at no cost during paid time to all employees who have had a close contact except for those who are fully vaccinated before the close contact or certain individuals who have recovered from COVID-19.

California employers will need to carefully consider these new standards in developing their plans as the state moves toward reopening on June 15<sup>th</sup>.

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# At Long Last: Cal/OSHA Approves Revisions to ETS and EEOC Brings Some Clarity to Vaccine Incentives and Policies

## Client Alert

June 2021

By: Jeffrey A. Dinkin, Jared W. Speier

### Updates to the Cal/OSHA ETS

Last week, Cal/OSHA approved several significant changes to the Emergency Temporary Standards (“ETS”) that relax the ETS standards for vaccinated employees, physical distancing, and face coverings. These changes are still subject to the approval of the Office of Administrative Law but will likely become effective on June 15, 2021.

**Exclusion from the workplace:** The revised ETS creates broad exemptions for workers who have been fully vaccinated with an FDA- approved or emergency use authorized (“EUA”) vaccine, as well as for workers who have tested positive for COVID-19 within the past 90 days (“naturally immune workers”). Fully vaccinated means two weeks have elapsed since the last dose of the vaccine. Fully vaccinated or naturally immune workers would not need to be excluded from work after a close contact with at the workplace with a COVID-19 case so long as they remain symptom-free. However, fully vaccinated and naturally immune employees who test positive must still be excluded for 10 days even if asymptomatic. Notably, this exemption does not include vaccines which do not have EUA so if you

have employees who received vaccines in other countries that don't have EUA in the U.S. then they will not be considered fully vaccinated.

Under the prior version of the ETS employees had to be excluded from the workplace if they were a COVID-19 case or came in close contact with a COVID-19 case during the high risk exposure period. A COVID-19 case is a person who has tested positive, was ordered to isolate, or has died due to COVID-19. A close contact means being within 6 feet of a COVID-19 case for more than 15 minutes in a 24 hour period. And finally, the high risk exposure period is two days before the COVID-19 case tested positive or exhibited symptoms of COVID-19 until they meet the requirements to return to work.

**Face Coverings:** Under the new version of the ETS, fully vaccinated employees are exempt from masking if everyone in the same room is fully vaccinated and asymptomatic. While not specifically addressed in the revised ETS, based on requirements of the existing ETS it seems the door to the room containing fully vaccinated employees must be closed and masks still must be worn in the common areas unless all employees at the workplace are required to be vaccinated. Furthermore, masking is not required if the fully vaccinated employees are working outside and asymptomatic. Employees working outdoors who cannot feasibly perform tasks while wearing a face covering must remain at least six feet from other employees unless that employee is fully vaccinated or tested for COVID-19 weekly at no cost to the employee. Employees who cannot wear a mask due to a disability or medical or mental health condition or due to a sincerely held religious belief also must remain at least six feet from other employees. Where an employer has a mandatory vaccination policy, this physical distancing requirement must be considered when evaluating possible reasonable accommodations for employees who cannot wear masks due to disability or other health condition or sincerely held religious belief. Unlike the physical distancing requirements discussed below, there is no sunset date associated with this requirement. Additionally, naturally immunized workers are not excepted from the face covering requirements. The new ETS provisions also refines the definition of "face covering" to

exclude “a scarf, ski mask, balaclava, bandana, turtleneck, collar, or single layer of fabric,” and specifies the face covering must be a medical, surgical, or two fabric layer mask, or respirator—meaning many of the more fashionable masks that employees may have personally purchased and been using will no longer be sufficient to meet the safety standard.

Finally, starting July 31, 2021, all employees who are not fully-vaccinated shall be provided N95 filtering respirators or other NIOSH approved respirators for voluntary use. Employers must train all employees who are provided those respirators on how to properly wear the respirator, how to perform a seal check, and the fact that facial hair interferes with a seal. Although the ETS requires employers to encourage respirator use and requires providing the correct size respirator to non-vaccinated employees, they do not have to wear respirators – they just have to be available for them. Of course, this requirement does not apply to employees still working remotely.

**Physical Distancing:** The revised ETS provisions ends all physical distancing requirements as of July 31, 2021. Until then, physical distancing only applies to employees working indoors, or at outdoor mega-events (more than 10,000 attendees). These requirements apply regardless of whether the employees are vaccinated. However, the revisions add an exception for employees wearing respirators, like an N95 mask. Employers can voluntarily choose to provide N95 masks to employees to avoid the physical distancing requirements. The prior version of the ETS required all employees to be six feet apart except where an employer could demonstrate that six feet of separation is not possible.

**Employer Provided Testing:** Under the revised ETS, employers are no longer required to offer COVID-19 testing to workplace close contacts if the exposed employees were fully vaccinated or had natural immunity (previously infected within the prior 90 days). Under the prior version of the ETS an employer had to provide testing to any employee who had a close contact with a COVID-19 case.

**Outbreak Testing:** Under the existing version of the ETS, employers had to offer weekly testing to employees at an “exposed worksite.” The revisions to the ETS eliminate the term “exposed worksite” and replace it with the term “exposed group.” Exposed group encompasses all persons at a work location, working area, or a common area at work, where the people present included a COVID-19 case (except for short passing through while masked) at any time during the high-risk exposure period. This includes common areas like bathrooms, walkways, hallways, aisles, break or eating areas, and waiting areas. However, employees who are part of a distinct group, like a shift that does not overlap with another, would be considered a separate exposed group even if a second shift later worked in the same location. Outbreak testing would kick in when there are three or more COVID-19 cases in an exposed group. Significantly, the revised ETS removes when the local public health department identifies the workplace as the location of an outbreak as a trigger for “outbreak testing.” This should eliminate the challenge many employers have faced with inconsistency in how local public health departments identify outbreaks.

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**Training Requirements:** The revised ETS adds required training topics including information on COVID-19 vaccinations, COVID-19 testing accessibility, and for employers who provide respirators for voluntary use, training on how to properly wear the respirator and how to perform a seal check. Additionally, employers would need to train employees that N95s and other respirators protect users from airborne diseases like COVID-19, as opposed to face coverings which primarily protect people around the user.

**Notification After COVID-19 Case at the Worksite:** The revised ETS adds and clarifies several of the requirements around COVID-19 notifications to align with previous legislation, including but not limited to, a requirement that COVID-19 notifications include the employer’s disinfection plan. Verbal notice of a COVID-19 case in the workplace if the employer has reason to know that an employee has not received the written notice. This is an important change for the many employers who have had difficulty complying with existing written notification requirements. In cases where the employer has reason to believe an employee has limited literacy in the

language of the written notice, the revised ETS also require that verbal notification be provided in a language understandable by the employee. (Employers are required to provide the notification in both English and in the language understood by a majority of employees.)

Additionally, the notice requirement now kicks in if the employer knew or “should have known” that a COVID-19 case visited the worksite. Previously the requirement only applied if the employer actually knew that a COVID-19 case visited the worksite. In doing so, Cal/OSHA is signaling that employers should be vigilant in determining when employees and visitors are exhibiting COVID-19 symptoms and should have methods in place for employees to easily report symptoms and COVID-19 cases.

**Engineering Controls:** The existing version of the ETS requires “cleanable solid partitions” when employees are assigned to work at work stations such as cash registers, desks, production lines, and other locations where physical distancing is not maintained at all times. The revised ETS ends the requirement for these “solid cleanable partitions” on July 31, 2021. However, the face covering requirements discussed above continue beyond July 31, 2021, so employees will still need to wear masks unless all other employees are vaccinated.

**Exclusion pay:** Under the revised ETS, employers must pay all excluded employees their full wages and maintain all benefits as if the employer had not excluded them (i.e., for whatever shifts they missed). The revised ETS also provides that this exclusion pay must be paid no later than the next regular pay date after the pay period(s) in which the employee is excluded. The exclusion pay requirement does not apply “where the employee received disability payments or was covered by workers’ compensation and received temporary disability.” Nor is it required when the employer can demonstrate the close contact was not work related.

Notably, the revised ETS eliminates an exception in the current ETS stating that exclusion pay is not required when the excluded employee is not “otherwise able and available to work.” Therefore, under the revised ETS even if an excluded employee is not able to work – due to severe COVID

symptoms or otherwise – the revised ETS still requires that the employer provide exclusion pay.

**Vaccine-verification not required:** The ETS revisions do *not* require blanket vaccine-verification, of employees or third parties, along the lines of the onerous requirements in Santa Clara County.

**Vaccination Requirements – Unanswered Question:** The most significant question left unanswered by the new guidance is how can managers or co-workers know who is vaccinated so that they can enforce the revised ETS masking requirements. There are several options and each has some risk. Which option to use depends on the specific employer and their risk tolerance. One option is to only allow vaccinated employees in the workplace. This is tantamount to a mandatory vaccination policy and may require employers to terminate employees who cannot work remotely. Another option is to only allow in person meetings and conferences between vaccinated employees. This way employers could take advantage of the relaxed masking requirements discussed above. Both these options require that the accommodation process be followed for employees who cannot receive the vaccine due to a religious or disability based exemption as those employees otherwise would not be afforded the same employment opportunities as other employees. A further option for some employers may be to separate vaccinated and non-vaccinated employees into different work groups to make enforcement easier. Importantly, any separation or other method of identifying which employees are fully vaccinated risks unlawful discrimination or harassment of unvaccinated employees by co-workers or managers. These options are by no means the only ones available. Because of the risks involved, we suggest reaching out to legal counsel if the employer is considering a mandatory vaccination policy or a policy aimed at identifying which employees are vaccinated.

**Further revisions:** Cal/OSHA approved a three person panel to explore further revisions to the ETS, so stay tuned for further updates and FAQs explaining the new requirements. This panel is needed as the current revisions, while a step in the right direction, still leave some questions unanswered. In addition to questions about how employers determined

which employees are vaccinated, other questions include whether masking requirements apply if all employees are vaccinated but a customer is not (answer is masking is likely required)? What is the approved method for determining whether an employee is vaccinated? The ETS only states that an employer must have “documentation” showing that an employee is fully vaccinated, but does not state what documentation is sufficient. Based on the guidance thus far, the best practice is to have employees complete a form certifying that they have received the vaccine and the date of their final dose. All of these questions, and more, were raised in Cal/OSHA’s public meeting and employers should expect to see additional FAQs addressing these points.

### **EEOC Vaccine incentives**

The EEOC recently updated its FAQs to address several concerns employers raised after it issued its guidance regarding mandatory vaccine policies. The new guidance reduces the risk of offering vaccine incentives, brings some clarity to requesting vaccination status, and mandatory vaccination policies.

### **Vaccine Incentives**

Resolving an issue that has given rise to considerable uncertainty, the revised FAQs provide that employers who wish to encourage, rather than mandate, COVID-19 vaccines may incentivize their employees to be vaccinated, although limitations apply when the employer (or its agent) administers the vaccine.

- Employers may offer unlimited incentives for employees who present proof that they have been vaccinated through third parties such as a government vaccination site, doctor, or pharmacy. While the FAQs do not give examples of incentives, monetary incentives such as bonuses or the opportunity to enter a lottery for a larger cash prize and additional paid time off are options that some employers have already implemented which appear to be consistent with the scope of the EEOC guidance.

- When the employer administers the vaccine itself or contracts with a vendor to do so, incentives for such employer-provided vaccinations are permissible only if they are not “so substantial as to be coercive.” An incentive may become coercive when it is so large that it effectively makes getting the vaccine involuntary because the reward is so big. The FAQs do not elaborate on what would be considered “coercive.” As a result, employers who wish to offer incentives should consider requiring employees to provide proof of vaccination from an independent source rather than administering vaccines itself or providing them through a vendor.
  - An employer may offer an employee’s family member the opportunity to be vaccinated if no incentive is offered.
  - Employers may also encourage vaccination through other means, such as educating their employees about COVID-19 vaccines, raising awareness of the benefits of vaccination, addressing common questions and concerns, and providing transportation to vaccination sites. The FAQs provide links to federal resources about getting vaccinated that employers can share with employees.
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### **Vaccine Status Inquiries**

The FAQs confirm that employers may ask employees whether they have received a COVID-19 vaccination, and may require proof of vaccination, without running afoul of federal equal employment opportunity (EEO) laws. Employers may not, however, ask follow-up questions (“Why are you not vaccinated?”) that could elicit disability-related information or genetic information, including information about the employee’s family medical history. But if an employee indicates that they cannot get vaccinated due to a disability, physical or mental health condition, or sincerely held religious belief and if not being vaccinated means the employee cannot perform work or cannot enjoy all terms and conditions of employment, then the employer must engage in an interactive process to determine if any reasonable accommodation can be made.



Although employers may ask about vaccination status, the EEOC emphasizes that employee vaccine information is confidential and, like medical information, must be stored securely and separately from employees' personnel files. This means that managers and supervisors ordinarily should not be told about an individual employee's vaccination status.

### **Mandatory Vaccine Policies**

the FAQs confirm the EEOC's existing guidance that under the federal EEO laws, employers may require all employees to be vaccinated to enter the workplace, provided that reasonable accommodations are offered for disability and sincerely held religious belief. The new guidance also makes clear that pregnant employees may be entitled to exceptions to a vaccine mandate.

Under the EEOC's existing guidance, employers may not exclude from the workplace employees who are unable to be vaccinated due to disability or religious belief unless the employee's presence onsite constitutes a "direct threat," meaning a "significant threat of substantial harm" to the employee or others that cannot be eliminated or reduced by reasonable accommodation. The new FAQs elaborate that, in conducting the individualized inquiry that must be made to determine whether returning the employee to work creates a direct threat, employers may consider several factors, including, for example:

- the current level of COVID-19 community spread;
- the extent of direct interaction the employee typically has with others during the workday;
- the proportion of individuals in the workplace who are already vaccinated; whether others will be wearing masks; and
- whether social distancing is practicable.

The EEOC has not indicated how these factors should be balanced. But as a practical matter, employers in lower-risk settings such as office buildings may be unable to establish that an unvaccinated employee's

presence in the workplace rises to the level of a direct threat at this stage of the pandemic, because the threat can be reduced or eliminated with mitigation measures. While allowing employees to continue to work remotely may be a reasonable accommodation in some cases, employers should consider alternatives accommodations. The FAQs provide specific examples of reasonable accommodations for qualified unvaccinated employees such as wearing a face mask; socially distancing; working a modified shift; getting periodic COVID-19 tests; teleworking; and reassignment (which the EEOC states should be a last resort).

Certain fully vaccinated employees may still be entitled to COVID-19-related accommodations. For example, the FAQs state that the COVID-19 vaccine may not offer immunocompromised individuals the same protections as other vaccinated individuals. According to the EEOC, it is a best practice for employers mandating COVID-19 vaccines to notify employees that accommodation requests will be considered based on disability and religion on an individual basis.

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Finally, the FAQs caution that employers with mandatory vaccine programs “may need to respond to allegations that the requirement has a disparate impact—or disproportionately excludes” employees based on protected characteristics such as race, color, religion, sex, national origin, or age. Employers “should keep in mind that because some individuals or demographic groups may face greater barriers to receiving a COVID-19 vaccination than others, some employees may be more likely to be negatively impacted by a vaccination requirement.” Unfortunately, the FAQs do not specify what circumstances may support a disparate impact claim, or how employers should respond to employee complaints that a mandatory vaccine policy has a disparate impact. If you receive any complaints of discrimination, we recommend reaching out to legal counsel to help guide you through the process.

As a cautionary note, while it appears highly likely that mandatory vaccination requirements are lawful, currently there is no definitive determination and there is no appellate court decision pertaining to COVID-19 vaccination requirements. We are aware of some lawsuits that have

been filed on suspect grounds such as since the vaccine only has emergency approval by the FDA, requiring vaccinations is the equivalent of human experimentation. Employers should consult with their legal advisors if they have concerns related to implementing a vaccination requirement for their employees.

While this new guidance provides helpful insight, employers should stay tuned for updates, as the FAQs state that the EEOC is still considering the impact of the CDC's recent guidance for fully vaccinated individuals on the EEOC's current guidance. Additionally, other federal, state, and local laws may impose additional limitations on employer vaccine programs.

### **Stradling Has Resources To Help You Stay Compliant**

To assist California employers in complying the various COVID-19 requirements in California, Stradling has created COVID-19 protocols which incorporate all the new requirements and clarifications of the ETS and help businesses comply with federal, state, and county requirements. We encourage you to reach out if you are in the process of reopening or you have been conducting business and want to make sure you are in compliance with the applicable industry guidelines.

Please do not hesitate to reach out to us for assistance in dealing with the effects of the COVID-19 pandemic on your company.

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Subchapter 7. General Industry Safety Orders

Adopt Section 3205 to read:

§ 3205. COVID-19 Prevention.

(a) Scope.

(1) This section applies to all employees and places of employment, with the following exceptions:

(A) Work locations with one employee who does not have contact with other persons.

(B) Employees working from home.

(C) Employees with occupational exposure as defined by section 5199, when covered by that section.

(D) Employees teleworking from a location of the employee's choice, which is not under the control of the employer.

(2) Nothing in this section is intended to limit more protective or stringent state or local health department mandates or guidance.

(b) Definitions. The following definitions apply to this section and to sections 3205.1 through 3205.4.

(1) "Close contact" means being within six feet of a COVID-19 case for a cumulative total of 15 minutes or greater in any 24-hour period within or overlapping with the "high-risk exposure period" defined by this section. This definition applies regardless of the use of face coverings.

EXCEPTION: Employees have not had a close contact if they wore a respirator required by employer and used in compliance with section 5144, whenever they were within six feet of the COVID-19 case during the high-risk exposure period.

(2) "COVID-19" means coronavirus disease, an infectious disease caused by the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).

(3) "COVID-19 case" means a person who:

(A) Has a positive "COVID-19 test" as defined in this section; or

(B) Has a positive COVID-19 diagnosis from a licensed health care provider; or

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- (C) Is subject to a COVID-19-related order to isolate issued by a local or state health official; or
  - (D) Has died due to COVID-19, in the determination of a local health department or per inclusion in the COVID-19 statistics of a county.
- (4) "COVID-19 hazard" means potentially infectious material that may contain SARS-CoV-2, the virus that causes COVID-19. Potentially infectious materials include airborne droplets, small particle aerosols, and airborne droplet nuclei, which most commonly result from a person or persons exhaling, talking or vocalizing, coughing, or sneezing, or from procedures performed on persons which may aerosolize saliva or respiratory tract fluids. This also includes objects or surfaces that may be contaminated with SARS-CoV-2.
- (5) "COVID-19 symptoms" means fever of 100.4 degrees Fahrenheit or higher, chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea or vomiting, or diarrhea, unless a licensed health care professional determines the person's symptoms were caused by a known condition other than COVID-19.
- (6) "COVID-19 test" means a viral test for SARS-CoV-2 that is:
- (A) Approved by the United States Food and Drug Administration (FDA) or has an Emergency Use Authorization from the FDA to diagnose current infection with the SARS-CoV-2 virus; and
  - (B) Administered in accordance with the FDA approval or the FDA Emergency Use Authorization as applicable.
- (7) "Exposed group" means all ~~person~~employees at a work location, working area, or a common area at work, where an employee COVID-19 case was present at any time during the high-risk exposure period. A common area at work includes bathrooms, walkways, hallways, aisles, break or eating areas, and waiting areas. The following exceptions apply:
- (A) For the purpose of determining the exposed group, a place where persons momentarily pass through while everyone is wearing face coverings, without congregating, is not a work location, working area, or a common area at work.
  - (B) If the COVID-19 case was part of a distinct group of employees who are not present at the workplace at the same time as other employees, for instance a work crew or shift that does not overlap with another work crew or shift, only employees within that distinct group are part of the exposed group.
  - (C) If the COVID-19 case visited a work location, working area, or a common area at work for less than 15 minutes during the high-risk exposure period, and all persons were

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wearing face coverings at the time the COVID-19 case was present, other people at the work location, working area, or common area are not part of the exposed group.

NOTE: An exposed group may include the employees of more than one employer. See Labor Code sections 6303 and 6304.1.

(8) "Face covering" means a surgical mask, a medical procedure mask, a respirator worn voluntarily, or a tightly woven fabric or non-woven material of at least two layers. A face covering has no visible holes or openings and must cover the nose and mouth. A face covering does not include a scarf, ski mask, balaclava, bandana, turtleneck, collar, or single layer of fabric.

(9) "Fully vaccinated" means the employer has documentation showing that the person received, at least 14 days prior, either the second dose in a two-dose COVID-19 vaccine series or a single-dose COVID-19 vaccine. Vaccines must be FDA approved or have an emergency use authorization from the FDA.

(10) "High-risk exposure period" means the following time period:

(A) For COVID-19 cases who develop COVID-19 symptoms, from two days before they first develop symptoms until all of the following are true: it has been 10 days since symptoms first appeared; 24 hours have passed with no fever, without the use of fever-reducing medications; and symptoms have improved.

(B) For COVID-19 cases who never develop COVID-19 symptoms, from two days before until 10 days after the specimen for their first positive test for COVID-19 was collected.

(11) "Outdoor mega event" means an event that includes over 10,000 participants or spectators outdoors and may include conventions, shows, outdoor nightclubs, concerts, sporting events, theme parks, fairs, festivals, large races, and parades.

(12) "Respirator" means a respiratory protection device approved by the National Institute for Occupational Safety and Health (NIOSH) to protect the wearer from particulate matter, such as an N95 filtering facepiece respirator.

(123) "Worksite," for the limited purposes of COVID-19 prevention regulations only, means the building, store, facility, agricultural field, or other location where a COVID-19 case was present during the high-risk exposure period. It does not apply to buildings, floors, or other locations of the employer that a COVID-19 case did not enter.

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NOTE: The term worksite is used for the purpose of notice requirements in subsections ~~(b)(12) and (c)(3)(B)3.~~ and 4. only.

(c) Written COVID-19 Prevention Program. Employers shall establish, implement, and maintain an effective, written COVID-19 Prevention Program, which may be integrated into the employer's Injury and Illness Prevention Program required by section 3203, or be maintained in a separate document. The written elements of a COVID-19 Prevention Program shall include:

(1) System for communicating. The employer shall do all of the following in a form readily understandable by employees:

(A) Ask employees to report to the employer, without fear of reprisal, COVID-19 symptoms, possible close contacts, and possible COVID-19 hazards at the workplace.

(B) Describe how employees with medical or other conditions that put them at increased risk of severe COVID-19 illness can request accommodations.

(C) Provide information about access to COVID-19 testing as described in subsection (c)(5)(I) when testing is required under this section, section 3205.1, or section 3205.2.

(D) In accordance with subsection (c)(3)(B), communicate information about COVID-19 hazards and the employer's COVID-19 policies and procedures to employees and to other employers, persons, and entities within or in contact with the employer's workplace.

NOTE: See subsection (c)(3)(C) for confidentiality requirements for COVID-19 cases.

(2) Identification and evaluation of COVID-19 hazards.

(A) The employer shall allow for employee and authorized employee representative participation in the identification and evaluation of COVID-19 hazards.

(B) The employer shall develop and implement a process for screening employees for and responding to employees with COVID-19 symptoms. The employer may ask employees to evaluate their own symptoms before reporting to work. If the employer conducts screening at the workplace, the employer shall ensure that face coverings are used during screening by both screeners and employees and, if temperatures are measured, that non-contact thermometers are used.

(C) The employer shall develop COVID-19 policies and procedures to respond effectively and immediately to individuals at the workplace who are a COVID-19 case to prevent or reduce the risk of transmission of COVID-19 in the workplace.

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- (D) The employer shall conduct a workplace-specific identification of all interactions, areas, activities, processes, equipment, and materials that could potentially expose employees to COVID-19 hazards. Employers shall treat all persons, regardless of symptoms or negative COVID-19 test results, as potentially infectious.
1. This shall include identification of places and times when people may congregate or come in contact with one another, regardless of whether employees are performing an assigned work task or not, for instance during meetings or trainings and including in and around entrances, bathrooms, hallways, aisles, walkways, elevators, break or eating areas, cool-down areas, and waiting areas.
  2. This shall include an evaluation of employees' potential workplace exposure to all persons at the workplace or who may enter the workplace, including coworkers, employees of other entities, members of the public, customers or clients, and independent contractors. Employers shall consider how employees and other persons enter, leave, and travel through the workplace, in addition to addressing stationary work.
- (E) For indoor locations, the employer shall evaluate how to maximize ventilation with outdoor air; the highest level of filtration efficiency compatible with the existing ventilation system; and whether the use of portable or mounted High Efficiency Particulate Air (HEPA) filtration units, or other air cleaning systems, would reduce the risk of COVID-19 transmission.
- (F) The employer shall review applicable orders and guidance from the State of California and the local health department related to COVID-19 hazards and prevention. These orders and guidance are both information of general application, including CDPH's Interim guidance for Ventilation, Filtration, and Air Quality in Indoor Environments, and information specific to the employer's industry, location, and operations.
- (G) The employer shall evaluate existing COVID-19 prevention controls at the workplace and the need for different or additional controls. This includes evaluation of controls in subsections (c)(4), and (c)(6) through (c)(8).
- (H) The employer shall conduct periodic inspections as needed to identify unhealthy conditions, work practices, and work procedures related to COVID-19 and to ensure compliance with employers' COVID-19 policies and procedures.
- (3) Investigating and responding to COVID-19 cases in the workplace.
- (A) Employers shall have an effective procedure to investigate COVID-19 cases in the workplace. This includes procedures for seeking information from employees



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regarding COVID-19 cases and close contacts, COVID-19 test results, and onset of COVID-19 symptoms, and identifying and recording COVID-19 cases.

(B) The employer shall take the following actions when there has been a COVID-19 case at the place of employment:

1. Determine the day and time the COVID-19 case was last present and, to the extent possible, the date of the positive COVID-19 test(s) and/or diagnosis, and the date the COVID-19 case first had one or more COVID-19 symptoms, if any were experienced.
2. Determine who may have had a close contact. This requires an evaluation of the activities of the COVID-19 case and all locations at the workplace which may have been visited by the COVID-19 case during the high-risk exposure period.

NOTE: See subsection (c)(10) for exclusion requirements for employees after a close contact.

3. Within one business day of the time the employer knew or should have known of a COVID-19 case, the employer shall give written notice, in a form readily understandable by employees, that people at the worksite may have been exposed to COVID-19. The notice shall be written in a way that does not reveal any personal identifying information of the COVID-19 case. Written notice may include, but is not limited to, personal service, email, or text message if it can reasonably be anticipated to be received by the employee within one business day of sending. The notice shall include the disinfection plan required by Labor Code section 6409.6(a)(4). The notice must be sent to the following:
  - a. All employees at the worksite during the high-risk exposure period. If the employer should reasonably know that an employee has not received the notice, or has limited literacy in the language used in the notice, the employer shall provide verbal notice, as soon as practicable, in a language understandable by the employee.
  - b. Independent contractors and other employers at the worksite during the high-risk exposure period.
4. Within one business day of the time the employer knew or should have known of the COVID-19 case, the employer shall provide the notice required by Labor Code section 6409.6(a)(2) and (c) to the authorized representative of any employee at the worksite during the high-risk exposure period.

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5. Make COVID-19 testing available at no cost, during paid time, to all employees of the employer who had a close contact in the workplace and provide them with the information on benefits described in subsections (c)(5)(B) and (c)(10)(C), with the following exceptions:
    - a. Employees who were fully vaccinated before the close contact and do not have COVID-19 symptoms.
    - b. COVID-19 cases who returned to work pursuant to subsection 3205(c)(11)(A) or (B) and have remained free of COVID-19 symptoms, for 90 days after the initial onset of COVID-19 symptoms or, for COVID-19 cases who never developed symptoms, for 90 days after the first positive test.
  6. Investigate whether workplace conditions could have contributed to the risk of COVID-19 exposure and what could be done to reduce exposure to COVID-19 hazards.
- (C) Personal identifying information of COVID-19 cases or persons with COVID-19 symptoms, and any employee medical records required by this section or by sections 3205.1 through 3205.4, shall be kept confidential unless disclosure is required or permitted by law. Unredacted information on COVID-19 cases shall be provided to the local health department, CDPH, the Division, and NIOSH immediately upon request, and when required by law.
- (4) Correction of COVID-19 hazards. Employers shall implement effective policies and/or procedures for correcting unsafe or unhealthy conditions, work practices, policies and procedures in a timely manner based on the severity of the hazard. This includes, but is not limited to, implementing controls and/or policies and procedures in response to the evaluations conducted under subsections (c)(2) and (c)(3) and implementing the controls required by subsections (c)(6) through (c)(8).
  - (5) Training and instruction. The employer shall provide effective training and instruction to employees that includes the following:
    - (A) The employer's COVID-19 policies and procedures to protect employees from COVID-19 hazards, and how to participate in the identification and evaluation of COVID-19 hazards under subsection (c)(2)(A).
    - (B) Information regarding COVID-19-related benefits to which the employee may be entitled under applicable federal, state, or local laws. This includes any benefits available under legally mandated sick and vaccination leave, if applicable, workers'

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compensation law, local governmental requirements, the employer's own leave policies, leave guaranteed by contract, and this section.

- (C) The fact that COVID-19 is an infectious disease that can be spread through the air when an infectious person talks or vocalizes, sneezes, coughs, or exhales; that COVID-19 may be transmitted when a person touches a contaminated object and then touches their eyes, nose, or mouth, although that is less common; and that an infectious person may have no symptoms.
- (D) Any methods of physical distancing implemented by the employer and the importance of face coverings. The fact that particles containing the virus can travel more than six feet, especially indoors, so physical distancing must be combined with other controls, including face coverings and hand hygiene, to be effective.
- (E) Whenever respirators are provided for voluntary use under this section or sections 3205.1 through 3205.4:
  - 1. How to properly wear the respirator provided;
  - 2. How to perform a seal check according to the manufacturer's instructions each time a respirator is worn, and the fact that facial hair interferes with a seal.
- (F) The importance of frequent hand washing with soap and water for at least 20 seconds and using hand sanitizer when employees do not have immediate access to a sink or hand washing facility, and that hand sanitizer does not work if the hands are soiled.
- (G) Proper use of face coverings and the fact that face coverings are not respiratory protective equipment. COVID-19 is an airborne disease. N95s and more protective respirators protect the users from airborne disease while face coverings primarily protect people around the user.
- (H) COVID-19 symptoms, the importance of not coming to work and obtaining a COVID-19 test if the employee has COVID-19 symptoms, and the importance of vaccination against COVID-19.
- (I) Information on the employer's COVID-19 policies; ~~and~~ how to access COVID-19 testing and vaccination; and the fact that vaccination is effective at preventing COVID-19, protecting against both transmission and serious illness or death.

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(6) Physical distancing. ~~This subsection shall apply before~~ Until July 31, 2021, employers shall comply with either subsection (A) or (B) for all employees working indoors or at outdoor mega events, as follows:-

- (A) All employees shall be separated from other persons by at least six feet, except for employees wearing respirators required by the employer and used in compliance with section 5144; where an employer can demonstrate that six feet of separation is not feasible; and ~~except for momentary exposure while persons are in movement.~~ Methods of physical distancing include: telework or other remote work arrangements; reducing the number of persons in an area at one time, including visitors; visual cues such as signs and floor markings to indicate where employees and others should be located or their direction and path of travel; staggered arrival, departure, work, and break times; and adjusted work processes or procedures, such as reducing production speed, to allow greater distance between employees. ~~(B) When it is not feasible to maintain a distance of at least six feet, individuals shall be as far apart as feasible. (C) The following are exempt from the physical distancing requirements of subsection (e)(6):~~ 1. ~~Employees wearing respirators required by the employer and used in compliance with section 5144.~~

~~2. (B) All employees who are not fully vaccinated shall be provided respirators for voluntary use in compliance with subsection 5144(c)(2). Locations at which all employees are fully vaccinated, except for employees who require a reasonable accommodation or exception to vaccination under federal or state law, including but not limited to the California Fair Employment and Housing Act, the Federal Americans with Disabilities Act, and Title VII of the Civil Rights Act of 1964. For this exception to apply, the employer must provide respirators for voluntary use in compliance with section 5144(c)(2) to all employees who are not fully vaccinated and test those employees for COVID-19 at least once per week, during paid time and at no cost to the employees.~~

(7) Face coverings.

- (A) Employers shall provide face coverings and ensure they are worn by employees over the nose and mouth when indoors, when outdoors and less than six feet away from another person, and where required by orders from the CDPH or local health department. Employers shall ensure face coverings are clean and undamaged. Face shields are not a replacement for face coverings, although they may be worn together for additional protection. The following are exceptions to the face coverings requirement:

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1. When an employee is alone in a room, or when all persons in a room are fully vaccinated and do not have COVID-19 symptoms.
2. While eating and drinking at the workplace, provided employees are at least six feet apart and outside air supply to the area, if indoors, has been maximized to the extent feasible.
3. Employees wearing respirators required by the employer and used in compliance with section 5144.
4. Employees who cannot wear face coverings due to a medical or mental health condition or disability, or who are hearing-impaired or communicating with a hearing-impaired person.
5. Specific tasks which cannot feasibly be performed with a face covering. This exception is limited to the time period in which such tasks are actually being performed, ~~and the unmasked employee shall be at least six feet away from all other persons unless unmasked employees are tested at least twice weekly for COVID-19 during paid time and at no cost to the employees.~~
6. Employees who are fully vaccinated, when they are outdoors and do not have any COVID-19 symptoms.
  - (B) Employees exempted from wearing face coverings due to a medical condition, mental health condition, or disability shall wear an effective non-restrictive alternative, such as a face shield with a drape on the bottom, if their condition or disability permits it.
  - (C) Any employees not wearing a face covering pursuant to the exceptions in subsections (c)(7)(A)4. or 5., and not wearing a non-restrictive alternative when allowed by subsection (c)(7)(B), not wearing a face covering, face shield with a drape or other effective alternative, or a respirator required by the employer, for any reason, shall be at least six feet apart from all other persons unless the unmasked employee is either fully vaccinated or tested at least twice weekly for COVID-19 during paid time and at no cost to the employee. Employers may not use ~~COVID-19 testing~~ the provisions of subsection (c)(7)(C) as an alternative to face coverings when face coverings are otherwise required by this section.
  - (D) No employer shall prevent any employee from wearing a face covering when not required by this section, unless it would create a safety hazard, such as interfering with the safe operation of equipment.
  - (E) Employers shall implement measures to communicate to non-employees the face coverings requirements on their premises.

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(F) The employer shall develop COVID-19 policies and procedures to minimize employee exposure to COVID-19 hazards originating from any person not wearing a face covering, including a member of the public.

(8) Other engineering controls, administrative controls, and personal protective equipment.

(A) ~~Before~~ Subsection (c)(8)(A) applies until July 31, 2021, for all employees working indoors or at outdoor mega events, if the employer does not comply with subsection (c)(6)(B). ~~a~~ At work stations where an employee is assigned to work for an extended period of time, such as cash registers, desks, and production line stations, and where ~~the physical distancing requirement by subsection (c)(6)(A) is not maintained at all times, the employer shall install cleanable solid partitions that effectively reduce transmission between the employee and other persons.~~

~~EXCEPTION to subsection (c)(8)(A): When an exception to the physical distancing requirements exists under subsection (c)(6)(C), partitions are not required.~~

(B) For buildings with mechanical or natural ventilation, or both, employers shall maximize the quantity of outside air provided to the extent feasible, except when the United States Environmental Protection Agency (EPA) Air Quality Index is greater than 100 for any pollutant or if opening windows or maximizing outdoor air by other means would cause a hazard to employees, for instance from excessive heat or cold.

(C) Employers shall implement cleaning and disinfecting procedures, which require:

1. Identifying and regularly cleaning frequently touched surfaces and objects, such as doorknobs, elevator buttons, equipment, tools, handrails, handles, controls, phones, headsets, bathroom surfaces, and steering wheels. The employer shall inform employees and authorized employee representatives of cleaning and disinfection protocols, including the planned frequency and scope of cleaning and disinfection.
2. Cleaning of areas, material, and equipment used by a COVID-19 case during the high-risk exposure period, and disinfection if the area, material, or equipment is indoors and will be used by another employee within 24 hours of the COVID-19 case.

NOTE: Cleaning and disinfecting must be done in a manner that does not create a hazard to employees. See Group 2 and Group 16 of the General Industry Safety Orders for further information.

(D) To protect employees from COVID-19 hazards, the employer shall evaluate its handwashing facilities, determine the need for additional facilities, encourage and allow time for employee handwashing, and provide employees with an effective hand

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sanitizer. Employers shall encourage employees to wash their hands for at least 20 seconds each time. Provision or use of hand sanitizers with methyl alcohol is prohibited.

(E) Personal protective equipment.

1. Employers shall evaluate the need for personal protective equipment to prevent exposure to COVID-19 hazards, such as gloves, goggles, and face shields, and provide such personal protective equipment as needed. Whenever an employer provides respirators for voluntary use under this section or sections 3205.1 through 3205.4, the employer shall encourage their use and shall ensure that employees are provided with a respirator of the correct size.
2. ~~Before July 31, 2021, employers shall evaluate the need for respiratory protection in compliance with section 5144 when the physical distancing requirements in subsection (c)(6) are not feasible or are not maintained.~~ Starting July 31, 2021, employers shall provide respirators for voluntary use in compliance with subsection 5144(c)(2) to all employees working indoors or at outdoor mega events who are not fully vaccinated.

3. Employers shall provide and ensure use of respirators in compliance with section 5144 when deemed necessary by the Division through the Issuance of Order to Take Special Action, in accordance with title 8, section 332.3.
4. Employers shall provide and ensure use of eye protection and respiratory protection in compliance with section 5144 when employees are exposed to procedures that may aerosolize potentially infectious material such as saliva or respiratory tract fluids.

NOTE: Examples of work covered by subsection (c)(8)(E)4. include, but are not limited to, certain dental procedures and outpatient medical specialties not covered by section 5199.

5. Starting [OAL to insert 15 days after effective date here], employers shall provide respirators for voluntary use in compliance with subsection 5144(c)(2) to employees who have not been fully vaccinated, and encourage use of those respirators, when employees are in a vehicle with at least one other person for 15 minutes or more.
- (F) Testing of symptomatic employees. ~~Starting July 31, 2021,~~ Employers shall make COVID-19 testing available at no cost to employees with COVID-19 symptoms who are not fully vaccinated, during employees' paid time.

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(9) Reporting, recordkeeping, and access.

- (A) The employer shall report information about COVID-19 cases and outbreaks at the workplace to the local health department whenever required by law, and shall provide any related information requested by the local health department. The employer shall report all information to the local health department as required by Labor Code section 6409.6.
  - (B) The employer shall maintain records of the steps taken to implement the written COVID-19 Prevention Program in accordance with section 3203(b).
  - (C) The written COVID-19 Prevention Program shall be made available at the workplace to employees, authorized employee representatives, and to representatives of the Division immediately upon request.
  - (D) The employer shall keep a record of and track all COVID-19 cases with the employee's name, contact information, occupation, location where the employee worked, the date of the last day at the workplace, and the date of a positive COVID-19 test.
- (10) Exclusion of COVID-19 cases and employees who had a close contact. The purpose of this subsection is to limit transmission of COVID-19 in the workplace.
- (A) Employers shall ensure that COVID-19 cases are excluded from the workplace until the return to work requirements of subsection (c)(11) are met, ~~except for persons who were fully vaccinated before they became COVID-19 cases and do not have COVID-19 symptoms, when allowed to remain at the workplace by the local health department.~~
  - (B) Employers shall exclude from the workplace employees who had a close contact until the return to work requirements of subsection (c)(11) are met, with the following exceptions:
    - 1. Employees who were fully vaccinated before the close contact and who do not develop COVID-19 symptoms; and
    - 2. COVID-19 cases who returned to work pursuant to subsection (c)(11)(A) or (B) and have remained free of COVID-19 symptoms, for 90 days after the initial onset of COVID-19 symptoms or, for COVID-19 cases who never developed COVID-19 symptoms, for 90 days after the first positive test.
  - (C) For employees excluded from work under subsection (c)(10), employers shall continue and maintain an employee's earnings, wages, seniority, and all other employee rights and benefits, including the employee's right to their former job status, as if the employee had not been removed from their job. Employers may use



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employer-provided employee sick leave for this purpose to the extent permitted by law. Wages due under this subsection are subject to existing wage payment obligations and must be paid at the employee's regular rate of pay no later than the regular pay day for the pay period(s) in which the employee is excluded. Unpaid wages owed under this subsection are subject to enforcement through procedures available in existing law. If an employer determines that one of the exceptions below applies, it shall inform the employee of the denial and the applicable exception.

EXCEPTION 1: Subsection (c)(10)(C) does not apply where the employee received disability payments or was covered by workers' compensation and received temporary disability.

EXCEPTION 2: Subsection (c)(10)(C) does not apply where the employer demonstrates that the close contact is not work related.

(D) Subsection (c)(10) does not limit any other applicable law, employer policy, or collective bargaining agreement that provides for greater protections.

~~(E) At the time of exclusion, the employer shall provide the employee the information on benefits described in subsections (c)(5)(B) and (c)(10)(C).~~

(11) Return to work criteria.

(A) COVID-19 cases with COVID-19 symptoms shall not return to work until:

1. At least 24 hours have passed since a fever of 100.4 degrees Fahrenheit or higher has resolved without the use of fever-reducing medications; and
2. COVID-19 symptoms have improved; and
3. At least 10 days have passed since COVID-19 symptoms first appeared.

(B) COVID-19 cases who tested positive but never developed COVID-19 symptoms shall not return to work until a minimum of 10 days have passed since the date of specimen collection of their first positive COVID-19 test.

(C) Once a COVID-19 case has met the requirements of subsection (c)(11)(A) or (B), as applicable, a negative COVID-19 test shall not be required for an employee to return to work.

(D) Persons who had a close contact may return to work as follows:

1. Persons who had a close contact but never developed symptoms may return to work when 10 days have passed since the last known close contact.

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2. Persons who had a close contact and developed any COVID-19 symptom cannot return to work until the requirements of subsection (c)(11)(A) have been met, unless all of the following are true:

- a. The person tested negative for COVID-19 using a polymerase chain reaction (PCR) COVID-19 test with specimen taken after the onset of symptoms; and
- b. At least 10 days have passed since the last known close contact; and
- c. The person has been symptom-free for at least 24 hours, without using fever-reducing medications.

3. During critical staffing shortages, when there are not enough staff to provide safe patient care, essential critical infrastructure workers in the following categories may return after Day 7 from the date of last exposure if they have received a negative PCR COVID-19 test result from a specimen collected after Day 5:

- a. Health care workers who did not develop COVID-19 symptoms;
- b. Emergency response workers who did not develop COVID-19 symptoms; and
- c. Social service workers who did not develop COVID-19 symptoms and who work face to face with clients in child welfare or assisted living.

(E) If an order to isolate, quarantine, or exclude an employee is issued by a local or state health official, the employee shall not return to work until the period of isolation or quarantine is completed or the order is lifted. If no period was specified, then the period shall be in accordance with the return to work periods in subsection (c)(11)(A), (c)(11)(B), or (c)(11)(D), as applicable.

(F) If no violations of local or state health officer orders for isolation, quarantine, or exclusion would result, the Division may, upon request, allow employees to return to work on the basis that the removal of an employee would create undue risk to a community's health and safety. In such cases, the employer shall develop, implement, and maintain effective control measures to prevent transmission in the workplace including providing isolation for the employee at the workplace and, if isolation is not feasible, the use of respirators in the workplace.

Note: Authority cited: Section 142.3, Labor Code. Reference: Sections 142.3, 144.6, and 6409.6, Labor Code.

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Add new section 3205.1 to read:

§ 3205.1. Multiple COVID-19 Infections and COVID-19 Outbreaks.

(a) Scope.

(1) This section applies to a workplace covered by section 3205 if three or more employee COVID-19 cases within an exposed group, as defined by section 3205(b), visited the workplace during their high-risk exposure period at any time during a 14-day period.

(2) This section shall apply until there are no new COVID-19 cases detected in the exposed group for a 14-day period.

(b) COVID-19 testing.

(1) The employer shall make COVID-19 testing available at no cost to its employees within the exposed group, during employees' paid time, except:

(A) Employees who were not present at the workplace during the relevant 14-day period(s) under subsection (a).

(B) Employees who were fully vaccinated before section 3205.1 became applicable and who do not have COVID-19 symptoms; and

(C) For COVID-19 cases who did not develop COVID-19 symptoms after returning to work pursuant to subsections 3205(c)(11)(A) or (B), no testing is required for 90 days after the initial onset of COVID-19 symptoms or, for COVID-19 cases who never developed symptoms, 90 days after the first positive test.

(2) COVID-19 testing shall consist of the following:

(A) Immediately upon being covered by this section, testing shall be made available to all employees in the exposed group and then again one week later. Negative COVID-19 test results of employees with COVID-19 exposure shall not impact the duration of any quarantine, isolation, or exclusion period required by, or orders issued by, the local health department.

(B) After the first two COVID-19 tests required by subsection (b)(2)(A), employers shall make COVID-19 testing available once a week at no cost, during paid time, to all employees in the exposed group who remain at the workplace, or more frequently if recommended by the local health department, until this section no longer applies pursuant to subsection (a)(2).

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- (c) Employers shall make additional testing available at no cost to employees, during employees' paid time, when deemed necessary by the Division through the Issuance of Order to Take Special Action, in accordance with title 8, section 332.3.
- (d) The employer shall continue to comply with all applicable provisions of section 3205, and shall also comply with the following. ~~If there are three or more COVID-19 cases among employees in the exposed group with a 14 day period, the following is required:~~
- (1) Any employees in the exposed group who are not wearing respirators required by the employer and used in compliance with section 5144 shall be separated from other persons by at least six feet, except where an employer can demonstrate that six feet of separation is not feasible, and except for momentary exposure while persons are in movement. Methods of physical distancing include: telework or other remote work arrangements; reducing the number of persons in an area at one time, including visitors; visual cues such as signs and floor markings to indicate where employees and others should be located or their direction and path of travel; staggered arrival, departure, work, and break times; and adjusted work processes or procedures, such as reducing production speed, to allow greater distance between employees.
  - (2) When it is not feasible to maintain a distance of at least six feet, individuals shall be as far apart as feasible.
  - (3) At work stations where an employee is assigned to work for an extended period of time, such as cash registers, desks, and production line stations, and where the physical distancing requirement in subsection (d)(1) is not maintained at all times, the employer shall install cleanable solid partitions that effectively reduce transmission between the employee and other persons.
- (e) COVID-19 Investigation, review and hazard correction. The employer shall immediately perform a review of potentially relevant COVID-19 policies, procedures, and controls and implement changes as needed to prevent further spread of COVID-19. The investigation and review shall be documented and include:
- (1) Investigation of new or unabated COVID-19 hazards including the employer's leave policies and practices and whether employees are discouraged from remaining home

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when sick; the employer's COVID-19 testing policies; insufficient outdoor air; insufficient air filtration; and lack of physical distancing.

- (2) The review shall be updated every 30 days that ~~the outbreak~~ this section continues to apply, in response to new information or to new or previously unrecognized COVID-19 hazards, or when otherwise necessary.
- (3) The employer shall implement changes to reduce the transmission of COVID-19 based on the investigation and review required by subsections (e)(1) and (e)(2). The employer shall consider moving indoor tasks outdoors or having them performed remotely, increasing outdoor air supply when work is done indoors, improving air filtration, increasing physical distancing as much as feasible, requiring respiratory protection in compliance with section 5144, and other applicable controls.
- (f) In buildings or structures with mechanical ventilation, employers shall filter recirculated air with Minimum Efficiency Reporting Value (MERV) 13 or higher efficiency filters if compatible with the ventilation system. If MERV-13 or higher filters are not compatible with the ventilation system, employers shall use filters with the highest compatible filtering efficiency. Employers shall also evaluate whether portable or mounted High Efficiency Particulate Air (HEPA) filtration units or other air cleaning systems would reduce the risk of transmission and, if so, shall implement their use to the degree feasible.
- (g) ~~Before~~ Until July 31, 2021, employees in the exposed group who are working indoors or at outdoor mega events and are not fully vaccinated, when not required by the employer to wear respirators, shall be provided with respirators for voluntary use in compliance with section 5144(c)(2).

NOTE to subsection 3205.1(g): Starting on July 31, 2021, this will be required in all workplaces covered by section 3205.

Note: Authority cited: Section 142.3, Labor Code. Reference: Sections 142.3 and 144.6, Labor Code.

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Add new section 3205.2 to read:

§ 3205.2. Major COVID-19 Outbreaks.

(a) Scope.

- (1) This section applies to any workplace covered by section 3205 if 20 or more employee COVID-19 cases in an exposed group, as defined by section 3205(b), visited the workplace during their high-risk exposure period within a 30-day period.
- (2) This section shall apply until there are fewer than three COVID-19 cases detected in the exposed group for a 14-day period.

(b) Employers shall continue to comply with section 3205.1, except that the COVID-19 testing described in section 3205.1(b) shall be made available twice a week, or more frequently if recommended by the local health department.

(c) In addition to the requirements of sections 3205 and 3205.1, the employer shall take the following actions:

- (1) The employer shall determine the need for a respiratory protection program or changes to an existing respiratory protection program under section 5144 to address COVID-19 hazards.
- (2) The employer shall evaluate whether to halt some or all operations at the workplace until COVID-19 hazards have been corrected.
- (3) Any other control measures deemed necessary by the Division through the issuance of Order to Take Special Action, in accordance with title 8 section 332.3.

Note: Authority cited: Section 142.3, Labor Code. Reference: Sections 142.3 and 144.6, Labor Code.

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Add new section 3205.3 to read:

§ 3205.3. COVID-19 Prevention in Employer-Provided Housing.

- (a) Scope. This section applies to employer-provided housing. Employer-provided housing is any place or area of land, any portion of any housing accommodation, or property upon which a housing accommodation is located, consisting of: living quarters, dwelling, boardinghouse, tent, bunkhouse, maintenance-of-way car, mobile home, manufactured home, recreational vehicle, travel trailer, or other housing accommodations. Employer-provided housing includes a "labor camp" as that term is used in title 8 of the California Code of Regulations or other regulations or codes. The employer-provided housing may be maintained in one or more buildings or one or more sites, including hotels and motels, and the premises upon which they are situated, or the area set aside and provided for parking of mobile homes or camping. Employer-provided housing is housing that is arranged for or provided by an employer, other person, or entity to workers, and in some cases to workers and persons in their households, in connection with the workers' employment, whether or not rent or fees are paid or collected.

The following exceptions apply:

- (1) This section does not apply to housing provided for the purpose of emergency response, including firefighting, rescue, and evacuation, and support activities directly aiding response such as utilities, communications, and medical operations, if:
  - (A) The employer is a government entity; or
  - (B) The housing is provided temporarily by a private employer and is necessary to conduct the emergency response operations.
- (2) Subsections (c), (d), (e), (f), and (h) do not apply to residents who maintained a household together prior to residing in employer-provided housing, such as family members, when no other persons outside the household are present.
- (3) This section does not apply to employees with occupational exposure to ~~COVID-19~~ as defined by section 5199, when covered by that section.

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- (4) This section does not apply to employer-provided housing used exclusively to house COVID-19 cases or where a housing unit houses one employee.
  - (5) This section does not apply to housing in which all residents are fully vaccinated.
- (b) Assignment of housing units. To the extent feasible, employers shall reduce exposure to COVID-19 hazards by assigning employee residents to distinct groups and ensuring that each group remains separate from other such groups during transportation and work. Employers shall ensure that shared housing unit assignments are prioritized in the following order:
- (1) Residents who usually maintain a household together outside of work, such as family members, shall be housed in the same housing unit without other persons.
  - (2) Residents who work in the same crew or work together at the same workplace shall be housed in the same housing unit without other persons.
  - (3) Employees who do not usually maintain a common household, work crew, or workplace shall be housed in the same housing unit only when no other housing alternatives are feasible.
- (c) Physical distancing and controls. Employers shall:
- (1) Ensure the premises are of sufficient size and layout to permit at least six feet of physical distancing between residents in housing units, common areas, and other areas of the premises.
  - (2) Ensure beds are spaced to allow at least eight feet between the corner of the head of each bed and positioned to maximize the distance between sleepers' heads. For beds positioned next to each other, i.e. side by side, the beds shall be arranged so that the head of one bed is next to the foot of the next bed. For beds positioned across from each other, i.e. end to end, the beds shall be arranged so that the foot of one bed is closest to the foot of the next bed. Bunk beds shall not be used by more than one person.
  - (3) In housing units, maximize the quantity and supply of outdoor air and increase filtration efficiency to the highest level compatible with the existing ventilation system. If there is not a Minimum Efficiency Reporting Value (MERV) 13 or higher



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filter in use, portable or mounted High Efficiency Particulate Air (HEPA) filtration units shall be used, to the extent feasible, in all sleeping areas in which there are two or more residents who are not fully vaccinated.

- (d) Face coverings. Employers shall provide face coverings to all residents and provide information to residents on when they should be used in accordance with state or local health officer orders or guidance.
- (e) Cleaning and disinfecting.
  - (1) Employers shall ensure that housing units, kitchens, bathrooms, and common areas are effectively cleaned to prevent the spread of COVID-19. Housing units, kitchens, bathrooms, and indoor common areas shall be cleaned and disinfected after a COVID-19 case was present during the high-risk exposure period, if another resident will be there within 24 hours of the COVID-19 case. Cleaning and disinfecting shall be done in a manner that protects the privacy of residents.
  - (2) Employers shall instruct residents not to share unwashed dishes, drinking glasses, cups, eating utensils, and similar items.
- (f) Screening. The employer shall encourage residents to report COVID-19 symptoms to the employer.
- (g) COVID-19 testing. The employer shall establish, implement, and maintain effective policies and procedures for COVID-19 testing of residents who had a close contact, who have COVID-19 symptoms, or as recommended by the local health department. These policies and procedures shall be communicated to the residents.
- (h) COVID-19 cases and close contacts.
  - (1) Employers shall effectively quarantine residents who have had a close contact from all other residents. Effective quarantine shall include providing residents who had a close contact with a private bathroom and sleeping area. The following residents are exempt from this requirement:
    - (A) Fully vaccinated residents who do not have COVID-19 symptoms; and
    - (B) COVID-19 cases who have met the requirements of subsection 3205(c)(11)(A) or (B) and have remained free of COVID-19 symptomsasymptomatic, for 90 days

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after the initial onset of COVID-19 symptoms or, for COVID-19 cases who never developed COVID-19 symptoms, for 90 days after the first positive test.

- (2) Employers shall effectively isolate COVID-19 cases from all residents who are not COVID-19 cases. Effective isolation shall include housing COVID-19 cases only with other COVID-19 cases, and providing COVID-19 case residents with a sleeping area and bathroom that is not shared by non-COVID-19 case residents.
- (3) Personal identifying information regarding COVID-19 cases and persons with COVID-19 symptoms shall be kept confidential in accordance with subsection 3205(c)(3)(C).
- (4) Employers shall end isolation in accordance with subsections 3205(c)(10) and (c)(11) and any applicable local or state health officer orders.

Note: Authority cited: Section 142.3, Labor Code. Reference: Sections 142.3 and 144.6, Labor Code.

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Add new section 3205.4 to read:

§ 3205.4. COVID-19 Prevention in Employer-Provided Transportation.

(a) Scope. This section applies to employer-provided motor vehicle transportation, which is any transportation of an employee during the course and scope of employment, including transportation to and from different workplaces, jobsites, delivery sites, buildings, stores, facilities, and agricultural fields, provided, arranged for, or secured by an employer regardless of the travel distance or duration involved. The following exceptions apply:

- (1) This section does not apply if the driver and all passengers are from the same household outside of work, such as family members, or if the driver is alone in the vehicle.
- (2) This section does not apply to employer-provided transportation when necessary for emergency response, including firefighting, rescue, and evacuation, and support activities directly aiding response such as utilities, communications, and medical operations.
- (3) This section does not apply to employees with occupational exposure as defined by section 5199, when covered by that section.
- (4) This section does not apply to vehicles in which all employees are fully vaccinated.
- (5) This section does not apply to public transportation.

(b) Assignment of transportation. To the extent feasible, employers shall reduce exposure to COVID-19 hazards by assigning employees sharing vehicles to distinct groups and ensuring that each group remains separate from other such groups during transportation, during work activities, and in employer-provided housing. Employers shall prioritize shared transportation assignments in the following order:

- (1) Employees residing in the same housing unit shall be transported in the same vehicle.
- (2) Employees working in the same crew or workplace shall be transported in the same vehicle.

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(3) Employees who do not share the same household, work crew or workplace shall be transported in the same vehicle only when no other transportation alternatives are feasible.

(c) Physical distancing and face coverings. Employers shall ensure that:

(1) ~~Physical distancing and face covering requirements of subsections 3205(c)(6) and (c)(7) are followed for employees waiting for transportation. Until July 31, 2021, employers must comply with either subsection 3205(c)(6)(A) or (c)(6)(B) when employees are waiting for transportation.~~

(2) There is one unoccupied seat between each person in the vehicle or the vehicle operator and any passengers are separated by at least three feet in all directions during the operation of the vehicle, regardless of the vehicle's normal capacity. Measuring the space between bodies or between heads are both acceptable measuring methods.

(3) The vehicle operator and any passengers are provided with and wear a face covering in the vehicle as required by subsection 3205(c)(7). Starting [OAL to insert 15 days after effective date here], employees who are not fully vaccinated shall be provided with respirators for voluntary use in compliance with subsection 5144(c)(2), and encouraged to use the respirators, when employees are in a vehicle for 15 minutes or more.

EXCEPTION to subsection (c): Employers are not required to comply with this subsection where all persons inside the vehicle who are not fully vaccinated are required by the employer to wear respirators and are using them in compliance with section 5144.

(d) Screening. Employers shall develop, implement, and maintain effective procedures for screening and excluding drivers and riders with COVID-19 symptoms prior to boarding shared transportation.

(e) Cleaning and disinfecting. Employers shall ensure that:

(1) All high-contact surfaces (door handles, seatbelt buckles, armrests, etc.) used by passengers are cleaned to prevent the spread of COVID-19 and must be cleaned and

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disinfected if used by a COVID-19 case during the high-risk exposure period, when the surface will be used by another employee within 24 hours of the COVID-19 case.

- (2) All high-contact surfaces used by drivers, such as the steering wheel, armrests, seatbelt buckles, door handles and shifter, shall be cleaned to prevent the spread of COVID-19 between different drivers and are disinfected after use by a COVID-19 case during the high-risk exposure period, if the surface will be used by another employee within 24 hours of the COVID-19 case.
  - (3) Employers shall provide sanitizing materials and ensure they are kept in adequate supply.
- (f) Ventilation. Employers shall ensure that vehicle windows are kept open, and the ventilation system set to maximize outdoor air and not set to recirculate air. Windows do not have to be kept open if one or more of the following conditions exist:
- (1) The vehicle has functioning air conditioning in use and excessive outdoor heat would create a hazard to employees.
  - (2) The vehicle has functioning heating in use and excessive outdoor cold would create a hazard to employees.
  - (3) Protection is needed from weather conditions, such as rain or snow.
  - (4) The vehicle has a cabin air filter in use and the U.S. EPA Air Quality Index for any pollutant is greater than 100.
- (g) Hand hygiene. Employers shall provide hand sanitizer in each vehicle and ensure that all drivers and riders sanitize their hands before entering and exiting the vehicle. Hand sanitizers with methyl alcohol are prohibited.
- (h) This section shall take precedence when in conflict with section 3205.

Note: Authority cited: Section 142.3, Labor Code. Reference: Sections 142.3 and 144.6, Labor Code.

LEGAL ALERTS | JUN 10, 2021

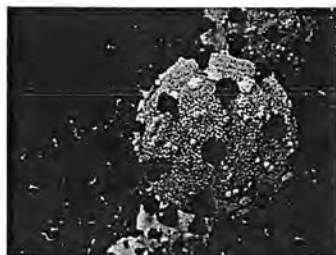
# Cal/OSHA Withdraws Proposed COVID-19 Workplace Standards Changes

New Draft ETS Revisions Expected Friday



In light of recent guidance changes from the Centers for Disease Control and Prevention and the California Department of Public Health, the California Occupational Safety and Health Standards Board voted Wednesday evening to withdraw its [June 3 revisions to the COVID-19 Emergency Temporary Standards \(https://www.dir.ca.gov/Title8/3205.html\)](https://www.dir.ca.gov/Title8/3205.html).

Alternative ETS revisions incorporating the new guidance are expected to be issued by Friday and the Board plans to consider them at its June 17 meeting. In the meantime, the original ETS issued in November 2020 remain in force.



## COVID-19 Legal Updates

All BB&K communications on the rapidly changing laws and requirements related to COVID-19 for businesses and public agencies can be found [here](#).

[GO TO THE COVID-19 LEGAL UPDATES PAGE >](#)

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT  
IMPROVEMENT DISTRICT NO. 1  
MAY 18, 2021 REGULAR MEETING MINUTES

A Regular Meeting of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1, was held at 3:00 p.m. on Tuesday, May 18, 2021 via teleconference and in the Conference Room at 1070 Faraday Street, Santa Ynez.

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

Trustees Absent: None

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

1. CALL TO ORDER AND ROLL CALL:

President Clay called the meeting to order at 3:07 p.m., he stated this was a Regular Meeting of the Board of Trustees. Ms. Martone conducted roll call and reported that all members of the Board were present.

2. PLEDGE OF ALLEGIANCE:

President Clay led the Pledge of Allegiance.

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

Ms. Martone presented the affidavit of posting of the Agenda, along with a true copy of the Agenda for this meeting. She reported that the Agenda was posted in accordance with the California Government Code commencing at Section 54950 and pursuant to District Resolution No. 340. The affidavit was filed as evidence of the posting of the Agenda items contained therein.

Ms. Martone added that as a result of the COVID-19 emergency and Governor Newsom's Executive Orders to protect public health by limiting public gatherings and requiring social distancing, the Board meeting would occur in person and via teleconference as authorized by and in furtherance of Executive Order Nos. N-29-20 and N-33-20 and applicable amendments to the California Brown Act as set forth in those Executive Orders.

4. ADDITIONS OR CORRECTIONS, IF ANY, TO THE AGENDA

Mr. Garcia stated there were no additions or corrections to the Agenda.

5. PUBLIC COMMENT:

President Clay welcomed any members of the public participating telephonically and offered time for members of the public to speak and address the Board on matters not on the Agenda. There was no public comment.

Mr. Garcia stated that the Notice and Agenda for this Regular Meeting requested members of the public that are participating telephonically to submit advance written comments to the District via electronic mail by 5:00 p.m. on Monday, May 17, 2021. Mr. Garcia reported that no written comments were submitted to the District for the meeting.

DRAFT

1 6. CORONAVIRUS (COVID-19) UPDATE

2 A. General Manager's Report

3 Mr. Garcia reported on the current activities related to the COVID-19 pandemic and the  
4 District's actions. He reported that effective April 21, 2021, Santa Barbara County moved to  
5 the Orange Tier of the Blueprint for a Safer Economy. Mr. Garcia discussed the phased  
6 reopening protocols and the Santa Barbara County Department of Public Health's guidance  
7 regarding use of face coverings which remains in effect. He reported that as of May 3rd all  
8 District staff have returned to regular work schedules, with all health and safety,  
9 disinfection, and social distancing measures and protocols in full force. Mr. Garcia stated  
10 that District management continues to receive, review, and implement updates from  
11 federal, state, regional, and local agencies related to the COVID-19 pandemic.  
12

13 7. CONSIDERATION OF THE MINUTES OF THE REGULAR MEETING OF APRIL 20, 2021

14 The Regular Meeting Minutes from April 20, 2021 were presented for consideration.

15  
16 President Clay asked if there were any changes or additions to the Regular Meeting Minutes of  
17 April 20, 2021. No changes or additions were requested.  
18

19 It was MOVED by Trustee Parker, seconded by Trustee Burchardi, and carried by a 5-0-0 voice  
20 vote to approve the April 20, 2021 Regular Meeting Minutes as presented.  
21

22 8. CONSENT AGENDA:

23 The Consent Agenda Report was provided in the Board packet.  
24

25 Mr. Garcia reviewed the Consent Agenda materials for the month of May.  
26

27 It was MOVED by Trustee Parker, seconded by Trustee Joos, and carried by a 5-0-0 voice vote to  
28 approve the Consent Agenda.  
29

---

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

32 A. DISTRICT ADMINISTRATION

33 1. Financial Report on Administrative Matters

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

35 Ms. Martone reviewed the Statement of Revenues and Expenses for the month of  
36 April. She highlighted various line-items related to revenue and expense  
37 transactions that occurred during the month. Ms. Martone reported that the  
38 revenues exceeded expenses by \$635,994.11 for the month of April and the year-to-  
39 date net income was \$2,061,276.17. She reported that the District's annual State  
40 Water Project payments will be paid this month as they are due June 1<sup>st</sup>. Ms.  
41 Martone mentioned that there will be an increase in expense activities during May  
42 and June as staff continues to close out projects before the fiscal year end June 30,  
43 2021.  
44

45 b) Approval of Accounts Payable

46 Ms. Martone reported that the Board was provided the Warrant List for April 21,  
47 2021 through May 18, 2021 in the handout materials.  
48

49 The Board reviewed the Warrant List which covered warrants 23801 through 23852  
50 in the amount of \$ 4,690,097.00.  
51

52 It was MOVED by Trustee Parker, seconded by Trustee Burchardi, and carried by a  
53 5-0-0 voice vote to approve the Warrant List for April 21, 2021 through May 18, 2021.



1  
2 2. Preliminary Budget for Fiscal Year 2021/2022

3 The Board packet included materials for the Preliminary Budget for FY 2021/2022,  
4 including a staff report and line-item details.  
5

6 Mr. Garcia reported that the FY 2021/2022 Preliminary Budget was developed based on  
7 the assumption of including the final scheduled rate increase as set forth in 2016 Water  
8 Rate Study. Mr. Garcia stated that a revenue and expense comparison was also included  
9 in Appendix A of the line-item budget details that summarizes a net budget effect  
10 assuming that the final scheduled water rate increase would be deferred for the entire  
11 FY 2021/2022 period. He indicated that management prepared a PowerPoint  
12 presentation providing an overview and highlights of the Preliminary Budget, which  
13 would be presented by Ms. Martone.  
14

15 Ms. Martone presented the PowerPoint presentation, which included the budget process,  
16 reporting, budget and reserve fund background, and budget categories. Ms. Martone  
17 reported that revenues are anticipated to be sufficient to meet the District's Operations &  
18 Maintenance expenses, General & Administrative expenses, Debt Service obligations,  
19 Other expenses, and proposed Capital Improvement Program projects forecasted for FY  
20 2021/2022, with a net revenue balance of \$333,667 to be added to District Reserves. She  
21 also reviewed the revenue and expense comparison included in Appendix A of the line-  
22 item budget details and summarized the net budget effect under an assumption that the  
23 final scheduled water rate increase would be deferred for the entire FY 2021/2022 period.  
24

25 Board discussion ensued on topics such as recommended reserve balances, whether or  
26 not the Preliminary Budget should assume an increase in water rates in FY 2021/2022,  
27 the Special Ad Valorem Tax Assessment, DWR/CCWA fixed costs, potential Chromium  
28 6 expenses, inflation and cost of service increases, infrastructure costs, the financial  
29 effects of COVID-19 on District customers, and the effects of customer water  
30 conservation measures on revenues.  
31

32 Mr. Garcia asked that the Board review the 2021/2022 Preliminary Budget and provide  
33 any comments or questions to management by early June for possible incorporation into  
34 the 2021/2022 Final Budget which will be presented at the June Board meeting.  
35

36 President Clay asked if there was any public comment on the Preliminary Budget. There  
37 was no public comment.  
38

39 The Board thanked Mr. Garcia and Ms. Martone for their hard work in preparing the FY  
40 2021/2022 Preliminary Budget.  
41

42 3. Setting the Appropriation Limit for the 2021/2022 Fiscal Year - Article XIII B (Proposition  
43 13)

44 a) California Department of Finance Calculations for 2021/2022 Appropriation  
45 Limitations and Authorization to Post Notice and make Public the 2021/2022  
46 Appropriation Limitation Calculation  
47

48 The Board packet included the May 2021 Department of Finance letter regarding the  
49 FY 2021/2022 Appropriation Limitation Calculation, Price Factor and Population  
50 information.  
51

DRAFT

1 Mr. Garcia explained that in connection with establishing an annual appropriation,  
2 certain language must be read verbatim into the public record, as follows: "Pursuant  
3 to Section 7910 of the California Government Code, a resolution will be presented for adoption  
4 by the Board of Trustees at its Regular Meeting on June 15, 2021, which will set the  
5 limitations on appropriations for fiscal year 2021/2022 under Article XIII B of the  
6 Constitution of the State of California (Proposition 13), and that the documentation used in  
7 determining the appropriation limitations will be available at the District office and on the  
8 District's website for examination by the public for at least 15 days prior to the adoption of  
9 the proposed resolution."

10  
11 Mr. Garcia explained the appropriation calculation provided by the State of  
12 California Department of Finance and how the calculations are applied to the  
13 District's Ad Valorem Special Tax Assessment limitations. He indicated that based  
14 on the computations for the appropriation limitation, the District's FY 2021/2022  
15 maximum assessment amount is \$2,136,415. Mr. Garcia explained that this year the  
16 per capita personal income factor was 5.73% and the County population change  
17 factor was -1.84%. He reiterated that although the District can set the assessment up  
18 to the maximum amount, the FY 2021/2022 Preliminary Budget proposes no increase  
19 this year, with the assessment to remain at \$875,000.

20  
21 Mr. Garcia requested Board authorization for the Secretary to the Board of Trustees  
22 to post the Public Notice setting forth the appropriation limit and calculation factors.  
23 He reported that the Public Notice and 2021/2022 fiscal year appropriation limitation  
24 calculation would be posted at the District Office and on the District's website,  
25 beginning May 19, 2021 and published in the local newspaper on May 27, 2021 and  
26 June 3, 2021. The Board reviewed the Public Notice.

27  
28 It was MOVED by Trustee Burchardi, seconded by Trustee Clay, and carried by a 5-  
29 0-0 voice vote to authorize the Secretary to the Board to post and publish the Public  
30 Notice to set the Fiscal Year 2021/2022 limit of appropriations pursuant to Article  
31 XIII B of the California Constitution.

32  
33 b) Review of Draft Resolutions to be presented for adoption at the June 15, 2021  
34 Board Meeting

- 35 1. Draft Resolution XXX: A Resolution of the Board of Trustees of the Santa Ynez  
36 River Water Conservation District, Improvement District No.1 Establishing the  
37 Appropriation Limit for Fiscal Year 2021-2022 Pursuant to Article XIII B of the  
38 California Constitution  
39  
40 2. Draft Resolution XXX: A Resolution of the Board of Trustees of the Santa Ynez  
41 River Water Conservation District, Improvement District No.1 Adopting the  
42 Final Budget for Fiscal Year 2021-2022 and Requesting an Assessment Levy  
43 Required to Collect \$875,000  
44

45 Mr. Garcia explained that each year two draft resolutions are presented a month in  
46 advance of the adoption of the final budget and establishment of an appropriation  
47 limit, and no action is required at this time. He stated the two resolutions would be  
48 presented for consideration at the June Board meeting.  
49

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

51 **A. STATEWIDE DROUGHT CONDITIONS**

- 52 1. Update Regarding Statewide Drought Conditions  
53

1 The Board packet included a May 10, 2021 Executive Department - State of California -  
2 Proclamation of a State of Emergency issued by Governor Gavin Newsom; a May 10,  
3 2021 State Water Contractors Press Release in response to Governor Newsom's  
4 Expanded Drought Proclamation; and two news articles relating to the Drought  
5 Emergency.  
6

7 Mr. Garcia reported that the Governor has now extended the State of Emergency  
8 Drought Proclamation as applied to 41 counties in California, where Santa Barbara  
9 County and many of the southern California counties are not included at this time. Mr.  
10 Garcia reported that Santa Barbara County has not declared a drought emergency at this  
11 point.  
12

13 **B. SUSTAINABLE GROUNDWATER MANAGEMENT ACT**

14 1. Eastern Management Area Update

15 The Board packet included meeting agendas and presentation materials for the April 29,  
16 2021 and May 13, 2021 meetings of the Eastern Management Area GSA.  
17

18 Mr. Garcia reported that he and Trustee Joos attended the April 29<sup>th</sup> and May 13<sup>th</sup> Special  
19 Meetings of the EMA GSA via video conference. Mr. Garcia reviewed the topics  
20 discussed at the meetings, which focused mainly on the EMA Sustainable Management  
21 Criteria for inclusion in the Draft EMA Groundwater Sustainability Plan. Mr. Garcia  
22 provided the District Board with information on the well impact study and analysis and  
23 reviewed the PowerPoint presentations provided at the GSA meetings by GSI Water  
24 Solutions.  
25

26 **C. CENTRAL COAST WATER AUTHORITY**

27 1. Update Regarding Amendment No. 21 to the SWP Contract (Water Management  
28 Amendment)

29 The Board packet included an April 22, 2021 CCWA Board of Directors Meeting Agenda  
30 and related materials regarding Amendment No. 21 to the SWP Contract.  
31

32 Mr. Garcia reported that on April 20, 2021 the Santa Barbara County Board of  
33 Supervisors took action to approve SWP Contract Amendment No. 21 pursuant to a  
34 Resolution which imposes certain limitations on how CCWA member agencies can  
35 implement the Amendment. Mr. Garcia discussed the conditions imposed by the  
36 County and the consequences the additional conditions can impose on CCWA member  
37 agencies. He reported the CCWA Board of Directors is evaluating the additional  
38 conditions imposed by the County's resolution. He stated the next meeting of the  
39 CCWA Board of Directors will be held on May 27, 2021. Trustee Clay expressed his  
40 appreciation and compliments to Mr. Ray Stokes, Executive Director of CCWA, for his  
41 role and expertise in the SWP Contract matters.  
42

43 **11. REPORTS BY THE BOARD MEMBERS OR STAFF, QUESTIONS OF STAFF, STATUS REPORTS,**  
44 **ANNOUNCEMENTS, COMMITTEE REPORTS, OBSERVATIONS AND OTHER MATTERS AND/OR**  
45 **COMMUNICATIONS NOT REQUIRING BOARD ACTION:**

46 The Board packet included a May 12, 2021 County of Santa Barbara Public Works Department  
47 Press Release announcing that "Dos Pueblos High School Wins Waterwise High School Video  
48 Contest" and the Family Farm Alliance Monthly Briefing for the month of May 2021.  
49

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

51 The Correspondence list was received by the Board.

DRAFT

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

2 Trustee Burchardi requested an update on the Mattei's Tavern Project.

3  
4 **14. NEXT MEETING OF THE BOARD OF TRUSTEES:**

5 President Clay stated that the next Regular Meeting of the Board of Trustees is scheduled for  
6 June 15, 2021 at 3:00 p.m.

7  
8 Mr. Garcia announced that the Open Session public participation phone line would be closed  
9 for the next forty-five (45) minutes to allow the Board to convene into Closed Session. He  
10 explained that the public participation phone line would be reopened forty-five (45) minutes  
11 later for the remaining Agenda items. Mr. Garcia thanked everyone for participating in the  
12 teleconference and stated that the Open Session meeting would reconvene at 6:35 p.m. to report  
13 any action taken during Closed Session.

14  
15 **15. CLOSED SESSION:**

16 The Board adjourned to Closed Session at 5:50 p.m.

17  
18 **A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

19 [Subdivision (d)(1) of Section 54956.9 of the Government Code - 1 case]

- 20  
21 1. Name of Case: Adjudicatory proceedings pending before the State Water Resources  
22 Control Board regarding Permit 15878 issued on Application 22423 to the City of  
23 Solvang, Petitions for Change, and Related Protests

24  
25 **B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

26 [Subdivision (d)(4) of Section 54956.9 of the Government Code - 1 case]

27  
28 **16. RECONVENE INTO OPEN SESSION**

29 [Sections 54957.1 and 54957.7 of the Government Code]

30  
31 The public participation phone line was re-opened, and the Board reconvened to Open  
32 Session at approximately 6:45 p.m.

33  
34 Mr. Garcia announced that the Board met in Closed Session concerning Agenda Items 15.A.1  
35 and 15.B. He stated that there was no reportable action from Closed Session.

36  
37 **17. ADJOURNMENT**

38 Being no further business, it was **MOVED** by Trustee Parker, seconded by Trustee Joos, and  
39 carried by a 5-0-0 voice vote to adjourn the meeting at approximately 6:46 p.m.

40  
41 **RESPECTFULLY SUBMITTED,**

42  
43 **DRAFT**

44  
45 \_\_\_\_\_  
46 Mary Martone, Secretary to the Board

47 **ATTEST:**

48 \_\_\_\_\_  
49 Jeff Clay, President

50  
51 **MINUTES PREPARED BY:**

52 \_\_\_\_\_  
53 Karen King, Board Administrative Assistant

**BOARD OF TRUSTEES  
SANTA YNEZ RIVER WATER CONSERVATION DISTRICT,  
IMPROVEMENT DISTRICT NO.1  
June 14, 2021**

**Consent Agenda Report**

CA-1. Water Supply and Production Report. Total water production in **May (396 AF)** was higher than water production in April (335 AF), slightly higher than the recent 3-year running average (2018-2020) for the month of **May (366 AF)**, and noticeably lower than the previous 10-year running average (2009-2019) for the month of **May (565 AF)**. As previously reported, these numbers reflect the fact that in recent years the District's overall demands have been trending substantially below historic levels for domestic, rural residential, and agricultural water deliveries due to water conservation, changing water use patterns, private well installations, and weather conditions.

For the month of **May**, approximately **145 AF** was produced from the Santa Ynez Upland wells, and approximately **136 AF** was produced from the 6.0 cfs and 4.0 cfs Santa Ynez River well fields. As reflected in the Monthly Water Deliveries Report from the Central Coast Water Authority (CCWA), the District received approximately **115 AF** in SWP supplies for the month, all of which was accounted for as Exchange deliveries. Direct diversions to the County Park and USBR were **1.93 AF**.

The USBR Daily Operations Report for Lake Cachuma in **May** (ending May 31, 2021) recorded the lake elevation at **721.94'** with the end of month storage of **112,810 AF**. USBR recorded total precipitation at the lake of **0.00 inches in May**. For the month, reservoir storage was supplemented with **68.9 AF** of SWP deliveries for South Coast entities. Reservoir evaporation in **May** was **975.9 AF**.

Based on the maximum storage of 193,305 AF, Cachuma reservoir currently (as of **June 7, 2021**) is at approximately **57.9%** of capacity, with current storage of **111,938 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, which is the case for this federal WY 2020-2021. 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 at other lower storage levels. **For the federal WY 2020-2021** (October 1, 2020 through September 30, 2021), the Cachuma Member Units requested a 100% allocation of the Project's annual operational yield of 25,714 AF. By letter dated October 19, 2020, USBR issued a 100% allocation decision. ID No.1's share is 10.31% or 2,651 AF. In addition to its 2020-21 allocation, ID No.1 currently holds approximately 1,240 AF of previous years carryover water in the reservoir, subject to evaporation. **By June 30, 2021**, the Cachuma Member Units will be submitting their joint request regarding a Cachuma Project allocation for federal WY 2021-2022.

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 from 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 2019 Water Rights Order 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 determined as follows:*
  - Wet is when Cachuma Reservoir inflow is greater than 117,842 AF;
  - Above Normal is when Reservoir inflow is less than or equal to 117,842 AF or greater than 33,707 AF;
  - Below Normal is when Reservoir inflow is less than or equal to 33,707 AF or greater than 15,366 AF;
  - Dry is when Reservoir inflow is less than or equal to 15,366 AF or greater than 4,550 AF
  - Critical Dry is when Reservoir inflow is less than or equal to 4,550 AF

**For the month of May, water releases for fish were 306.1 AF to Hilton Creek and 194 AF to the outlet works for a total of 500.1 AF. As of the end of May 2021, a total of approximately 42,380 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 March 23, 2021 the California Department of Water Resources (DWR) reduced the 2021 State Water Project (SWP) Table A allocation down to 5%, which matches the lowest allocation in the history of the SWP (5% final allocation in 2014).** This lowered allocation translates to 35 AF for ID No.1's share of Table A supplies through CCWA. In addition to its 5% allocation, ID No.1 holds 146 AF of SWP carryover supply in San Luis Reservoir.

As reflected in the enclosed Agenda for the CCWA Board of Directors meeting on May 27, 2021, CCWA continues to remain strongly engaged in a variety of matters related to the SWP and SWP supplies, including but not limited to: SWP operations and water supplies; Water supply management strategies; and tracking important legislation. The next Special Meeting of the CCWA Board of Directors is scheduled for June 17, 2021.

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

MAY 2021

LAKE CACHUMA DAILY OPERATIONS

RUN DATE: June 1, 2021

DAY	ELEV	STORAGE		COMPUTED* INFLOW AF.	CCWA INFLOW AF.	PRECIP ON RES. SURF. AF.	RELEASE - AF.				EVAP		PRECIP INCHES	
		IN LAKE	CHANGE				TUNNEL	HILTON CREEK	OUTLET	SPILLWAY	AF.	INCH		
	723.67	116,530												
1	723.61	116,399	-131	7.0	0.0	.0	87.3	10.0	7.0	.0	33.7	.230	.00	
2	723.56	116,291	-108	21.2	0.0	.0	87.3	10.0	7.0	.0	24.9	.170	.00	
3	723.49	116,140	-151	-15.4	0.0	.0	87.9	10.0	7.0	.0	30.7	.210	.00	
4	723.44	116,032	-108	31.8	0.0	.0	89.6	10.0	8.0	.0	32.2	.220	.00	
5	723.39	115,924	-108	29.5	0.0	.0	86.9	10.0	7.0	.0	33.6	.230	.00	
6	723.33	115,795	-129	17.8	0.0	.0	88.9	10.0	7.0	.0	40.9	.280	.00	
7	723.28	115,687	-108	29.0	0.0	.0	88.5	9.9	8.0	.0	30.6	.210	.00	
8	723.21	115,536	-151	-16.5	0.0	.0	88.9	9.9	8.0	.0	27.7	.190	.00	
9	723.15	115,406	-130	7.6	0.0	.0	87.6	9.9	8.0	.0	32.1	.220	.00	
10	723.10	115,298	-108	0.4	0.0	.0	71.1	9.9	7.0	.0	20.4	.140	.00	
11	723.04	115,169	-129	-1.2	0.0	.0	67.7	9.9	8.0	.0	42.2	.290	.00	
12	722.99	115,061	-108	9.2	0.0	.0	69.8	9.9	7.0	.0	30.5	.210	.00	
13	722.96	114,996	-65	37.4	0.0	.0	71.5	9.9	5.0	.0	16.0	.110	.00	
14	722.90	114,866	-130	14.5	0.0	.0	85.5	9.9	7.0	.0	42.1	.290	.00	
15	722.84	114,737	-129	1.9	0.0	.0	86.9	9.9	8.0	.0	26.1	.180	.00	
16	722.78	114,607	-130	-2.4	0.0	.0	88.5	9.9	6.0	.0	23.2	.160	.00	
17	722.72	114,478	-129	-18.3	0.0	.0	68.3	9.9	5.0	.0	27.5	.190	.00	
18	722.68	114,391	-87	10.3	11.7	.0	63.7	9.9	5.0	.0	30.4	.210	.00	
19	722.64	114,305	-86	7.5	19.6	.0	63.9	9.9	6.0	.0	33.3	.230	.00	
20	722.59	114,198	-107	1.8	11.9	.0	63.8	9.9	5.0	.0	42.0	.290	.00	
21	722.52	114,048	-150	-33.9	0.0	.0	62.3	9.8	5.0	.0	39.0	.270	.00	
22	722.45	113,899	-149	-27.9	0.0	.0	75.0	9.8	6.0	.0	30.3	.210	.00	
23	722.40	113,792	-107	18.7	0.0	.0	77.7	9.8	5.0	.0	33.2	.230	.00	
24	722.34	113,664	-128	-2.3	0.0	.0	80.6	9.8	5.0	.0	30.3	.210	.00	
25	722.29	113,557	-107	30.3	0.0	.0	84.0	9.8	6.0	.0	37.5	.260	.00	
26	722.22	113,408	-149	-22.2	12.5	.0	91.4	9.8	5.0	.0	33.1	.230	.00	
27	722.17	113,301	-107	18.7	12.5	.0	91.7	9.8	5.0	.0	31.7	.220	.00	
28	722.12	113,195	-106	31.3	0.7	.0	93.0	9.8	5.0	.0	30.2	.210	.00	
29	722.06	113,067	-128	4.4	0.0	.0	83.6	9.7	6.0	.0	33.1	.230	.00	
30	722.01	112,960	-107	13.9	0.0	.0	83.2	9.7	5.0	.0	23.0	.160	.00	
31	721.94	112,810	-150	-19.3	0.0	.0	81.6	9.7	5.0	.0	34.4	.240	.00	
<b>TOTAL (AF)</b>			<b>-3,720</b>	<b>184.8</b>	<b>68.9</b>	<b>.0</b>	<b>2,497.7</b>	<b>306.1</b>	<b>194.0</b>	<b>.0</b>	<b>975.9</b>	<b>6.730</b>	<b>.00</b>	
<b>(AVG)</b>		<b>114,613</b>												

COMMENTS:

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

DATA BASED ON 24-HOUR PERIOD ENDING 0800.

INDICATED OUTLETS RELEASE INCLUDE ANY LEAKAGE AROUND GATES.





# Santa Barbara County - Flood Control District

130 East Victoria Street, Santa Barbara CA 93101 - 805.568.3440 - [www.countyofsb.org/pwd](http://www.countyofsb.org/pwd)

## Rainfall and Reservoir Summary

Updated 8am: 6/7/2021

Water Year: 2021

Storm Number: NA

**Notes:** Daily rainfall amounts are recorded as of 8am for the previous 24 hours. Rainfall units are expressed in inches. All data on this page are from automated sensors, are preliminary, and subject to verification.

\*Each Water Year (WY) runs from Sept 1 through Aug 31 and is designated by the calendar year in which it ends  
County Real-Time Rainfall and Reservoir Website link: ➤ <http://www.countyofsb.org/hydrology>

Rainfall	ID	24 hrs	Storm oday(s)	Month	Year*	% to Date	% of Year*	AI
<b>Buellton</b> (Fire Stn)	233	0.00	0.00	0.00	8.54	51%	51%	
<b>Cachuma Dam</b> (USBR)	332	0.00	0.00	0.00	10.53	53%	53%	
<b>Carpinteria</b> (Fire Stn)	208	0.00	0.00	0.00	4.59	27%	27%	
<b>Cuyama</b> (Fire Stn)	436	0.00	0.00	0.00	3.80	51%	49%	
<b>Figueroa Mtn.</b> (USFS Stn)	421	0.00	0.00	0.00	8.40	39%	39%	12.5
<b>Gibraltar Dam</b> (City Facility)	230	0.00	0.00	0.00	10.65	41%	41%	12.5
<b>Goleta</b> (Fire Stn-Los Carneros)	440	0.01	0.00	0.02	9.18	50%	50%	
<b>Lompoc</b> (City Hall)	439	0.00	0.00	0.00	10.72	74%	74%	11.2
<b>Los Alamos</b> (Fire Stn)	204	0.00	0.00	0.00	8.41	55%	55%	
<b>San Marcos Pass</b> (USFS Stn)	212	0.00	0.00	0.00	14.24	42%	42%	
<b>Santa Barbara</b> (County Bldg)	234	0.00	0.00	0.01	7.33	40%	40%	
<b>Santa Maria</b> (City Pub.Works)	380	0.00	0.00	0.00	7.16	54%	54%	
<b>Santa Ynez</b> (Fire Stn./Airport)	218	0.00	0.00	0.00	8.33	53%	53%	
<b>Sisquoc</b> (Fire Stn)	256	0.00	0.00	0.00	6.31	42%	42%	

County-wide percentage of "Normal-to-Date" rainfall : **48%**

County-wide percentage of "Normal Water-Year" rainfall : **48%**

County-wide percentage of "Normal Water-Year" rainfall calculated assuming no more rain through Aug. 31, 2021 (End of WY2021).

**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)

	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><b>Gibraltar Reservoir</b></u>	1,400.00	1,374.68	4,559	492	10.8%	-15	-1,718
<u><b>Cachuma Reservoir</b></u>	753.**	721.53	193,305	111,938	57.9%	-765	-31,837
<u><b>Jameson Reservoir</b></u>	2,224.00	2,212.22	4,848	3,488	71.9%	-12	-800
<u><b>Twitchell Reservoir</b></u>	651.50	539.04	194,971	2,352	1.2%	-83	-1,468

# CIMIS Daily Report

Rendered in ENGLISH Units.

Saturday, May 1, 2021 - Monday, May 31, 2021

Printed on Tuesday, June 1, 2021

## 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)
5/1/2021	0.17	0.00	572	12.5	72.8	49.7	57.6	97	49	77	50.5	4.4	105.2	-- S
5/2/2021	0.21	0.00	676	11.5	70.7	48.1	57.1	93	51	72	48.3	5.0	119.1	-- S
5/3/2021	0.23	0.00	682	11.9	83.0	46.8	60.8	100	37	65	49.1	3.7	88.2	-- S
5/4/2021	0.25	0.00	709 R	11.3	87.3	41.6	64.7	97	26	54	47.8	3.2	76.4	-- S
5/5/2021	0.26	0.00	711 R	11.6	90.8	45.6	65.9	94	16	54	48.6	3.5	83.7	-- S
5/6/2021	0.21	0.00	672	13.0	77.6	47.4	59.5	100	47	75	51.6	3.9	93.1	-- S
5/7/2021	0.19	0.00	615	11.6	70.9	46.8	56.1	98	47	76	48.6	3.9	94.0	-- S
5/8/2021	0.23	0.00	703	11.1	83.5	46.4	61.0	97	29	61	47.3	3.3	79.4	-- S
5/9/2021	0.23	0.00	709 R	11.7	78.5	40.8	59.5	94	35	67	48.6	3.5	83.9	-- S
5/10/2021	0.20	0.00	650	13.3	75.8	49.6	60.2	93	53	75	52.2	3.3	78.8	-- S
5/11/2021	0.22	0.00	718 R	13.3	80.0	42.6	60.3	97	48	74	52.2	3.4	81.8	-- S
5/12/2021	0.21	0.00	663	14.6	77.6	50.4	61.3	100	53	79	54.8	3.5	83.2	-- S
5/13/2021	0.19	0.00	616	14.3	76.5	51.7	60.9	97	54	78	54.0	3.4	80.6	-- S
5/14/2021	0.19	0.00	625	13.2	74.8	51.4	58.2	97	53	79	51.9	3.9	94.1	-- S
5/15/2021	0.16	0.01	561	11.9	67.6	49.8	56.5	100	54	76	49.1	3.8	90.4	-- S
5/16/2021	0.17	0.00	572	12.1	70.3	53.1	59.2	83	54	71	49.6	3.6	86.1	-- S
5/17/2021	0.19	0.00	628	12.6	73.4	53.5	59.5	88	49	73	50.8	3.9	92.7	-- S
5/18/2021	0.22	0.00	700	12.4	78.9	50.1	60.7	92	42	69	50.3	4.0	95.7	-- S
5/19/2021	0.23	0.00	729 R	10.3	71.8	44.4	56.6	97	41	66	45.3	3.9	93.4	-- S
5/20/2021	0.24	0.00	756 R	8.3	72.2	39.8	55.4	96	23	55	39.6	4.6	109.9	-- S
5/21/2021	0.21	0.00	718	9.4	64.9	43.3	53.6	91	47	67	43.0	4.8	115.5	-- S
5/22/2021	0.21	0.00	710	9.9	69.9	42.1	55.7	92	42	65	44.2	3.6	86.8	-- S
5/23/2021	0.21	0.00	700	11.3	71.2	46.5	57.0	94	44	71	47.7	3.7	87.8	-- S
5/24/2021	0.25	0.00	719	11.7	88.9	48.4	63.8	100	23	58	48.6	3.5	83.5	-- S
5/25/2021	0.21	0.00	616	11.4	81.1	43.2	60.0	95	38	65	48.1	3.7	87.7	-- S
5/26/2021	0.21	0.00	688	12.1	77.0	49.3	58.4	96	44	73	49.6	3.4	82.6	-- S
5/27/2021	0.22	0.00	690	12.4	75.6	50.7	59.4	95	42	72	50.3	3.6	86.1	-- S
5/28/2021	0.22	0.00	726	12.9	71.7	49.9	58.4	99	56	77	51.3	4.1	97.8	-- S
5/29/2021	0.16	0.00	565	12.3	69.9	50.0	57.4	96	53	76	49.9	4.0	94.9	-- S
5/30/2021	0.22	0.00	685	12.8	81.5	51.4	62.7	90	40	66	51.1	3.1	75.5	-- S
5/31/2021	0.24	0.00	726	14.0	83.6	48.2	64.0	100	44	69	53.6	3.2	77.4	-- S
Tots/Avgs	6.56	0.01	671	12.0	76.4	47.5	59.4	95	43	70	49.3	3.8	89.8	--


### Flag Legend

A - Historical Average	I - Ignore	R - Far out of normal range
C or N - Not Collected	M - Missing Data	S - Not in service
H - Hourly Missing or Flagged Data	Q - Related Sensor Missing	Y - Moderately out of range
<b>Conversion Factors</b>		
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  
Lisa Long, Controller

**FROM:** Julie Baker 

**SUBJECT:** Monthly Water Deliveries

June 8, 2021

According to the CCWA revenue meters at each turnout, the following deliveries were made during the month of May, 2021:

<u>Project Participant</u>	<u>Delivery Amount (acre-feet)</u>
Chorro.....	175.34
López.....	74.91
Shandon.....	0.00
Guadalupe.....	0.88
Santa Maria.....	15.60
Golden State Water Co.....	0.00
Vandenberg.....	237.43
Buellton.....	6.97
Solvang.....	53.72
Santa Ynez ID#1.....	115.30
Bradbury.....	<u>68.98</u>
<b>TOTAL.....</b>	<b>749.13</b>

In order to reconcile these deliveries with the DWR revenue meter, which read 781 acre-feet, the following delivery amounts should be used for billing purposes:

<u>Project Participant</u>	<u>Delivery Amount (acre-feet)</u>
Chorro.....	184
López.....	78
Shandon.....	0
Guadalupe.....	1
Santa Maria.....	16*
Golden State Water Co.....	0*
Vandenberg.....	249
Buellton.....	7
Solvang.....	56
Santa Ynez ID#1.....	121
Bradbury.....	<u>69</u>
<b>TOTAL.....</b>	<b>781</b>

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

Notes: Santa Ynez ID#1 water usage is divided into 0 acre-feet of Table A water and 121 acre-feet of exchange water.

The exchange water is allocated as follows

<u>Project Participant</u>	<u>Exchange Amount (acre-feet)</u>
Goleta	44
Santa Barbara	29
Montecito	29
Carpinteria	<u>19</u>
<b>TOTAL</b>	<b>121</b>

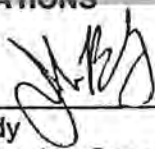
Bradbury Deliveries into Lake Cachuma are allocated as follows:

<u>Project Participant</u>	<u>Delivery Amount (acre-feet)</u>
Carpinteria	0
Goleta	0
La Cumbre	48
Montecito	0
Morehart	12
Santa Barbara	0
Raytheon	<u>9</u>
<b>TOTAL</b>	<b>69</b>

JAB

cc: Tom Bunosky, GWD  
James Luongo, Golden State WC  
Rebecca Bjork, City of Santa Barbara  
Daryl Smith, MWD  
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 Peña, City of Guadalupe  
Mike Alvarado, La Cumbre Mutual WC  
Alex Keuper, CVWD  
Pernell Rush, Vandenberg AFB  
Nick Turner, Montecito WD  
Laura Menahen, Montecito WD  
Matt van der Linden, City of Solvang

**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, May 27, 2021  
 via URL: <https://meetings.ringcentral.com/j/1459437263>  
 or via telephone by dialing 1(623) 404-9000 and entering code 145 943 7263#

CCWA's Board meetings are conducted pursuant to California Government Code Section 54953 and Governor Newsom's Executive Orders (N-25-20, N-29-20 and N-35-20), temporarily suspending portions of the Brown Act in response to the COVID-19 pandemic. Members of the Board will participate in this meeting by video call or telephone.

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

Public Comment on agenda items may occur via video call or telephonically, or by submission to the Board Secretary via email at [lfw@ccwa.com](mailto: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. 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.)**
- III. Consent Calendar – For Approval**
  - \* A. Minutes of the April 14, 2021 Special Meeting
  - \* B. Minutes of the April 22, 2021 Regular Meeting
  - \* C. Bills
  - \* D. Controller's Report
  - \* E. Operations Report
- IV. Executive Director's Report**
  - \* A. Resolution No. 21-02 of the Board of Directors Expressing the Board's Appreciation to Ronald W. Cline for His Service to the Authority and the Central Coast- *For Approval*
  - B. Water Supply Situation Report – *Information Only*
  - \* C. Update on Water Management Strategies Study – *Information Only*
  - \* D. Personnel Committee
    - 1. 2021 Review of Personnel Policy Manual - *For Approval*
  - E. State Water Contractors Update – *Information Only*
  - \* F. Legislative Update – *Information Only*

*Continued*

\* Indicates attachment of document to original agenda packet.

  
 #48423\_1.docx

- V. CLOSED SESSION**
    - A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Initiation of litigation pursuant to Government Code section 54956.9(d) (4): 1 case
  - VI. Return to Open Session**
  - VII. Reports from Board Members for Information Only**
  - VIII. Items for Next Regular Meeting Agenda**
  - IX. Date of Next Regular Meeting: June 26, 2021**
  - X. Adjournment**
-



# Central Coast Water Authority

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## THIS ITEM APPEARS ON

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

JUN  
**17**  
2021

## Board Meeting

Special CCWA Board of Directors Meeting

will be held at 1:00 PM on Thursday, June 17, 2021

via URL: <https://meetings.ringcentral.com/j/1477297078>

(<https://meetings.ringcentral.com/j/1477297078>)

or via telephone by dialing 1(623)404-9000 and entering code 147 729 7078#

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

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POWERED BY STREAMLINE ([HTTP://WWW.GETSTREAMLINE.COM/](http://www.getstreamline.com/)) | SIGN IN ([HTTPS://WWW.CCWA.COM/USERS/SIGN\\_IN?DESTINATION=%2F2021-06-17-BOARD-MEETING](https://www.ccwa.com/users/sign_in?destination=%2F2021-06-17-board-meeting))

**Santa Ynez River Water Conservation District ID #1**  
**Statement of Revenues & Expenses**  
May 2021

	May 21	Apr 21	% Change	Jul '20 - May 21
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
<b>600000 · SERVICE &amp; SALES REVENUE</b>				
<b>WATER SALES INCOME</b>				
601000 · Water Sales - Agri.	124,565.88	107,724.35	15.63%	1,134,716.51
602000 · Water Sales - Domestic	436,613.01	390,478.94	11.82%	4,472,032.55
602100 · Water Sales - RRLmtd Ag.	250,102.79	215,132.45	16.26%	2,473,765.88
602200 · Water Sales - Cach Pk	1,434.69	1,511.64	-5.09%	14,251.14
604000 · Water Sales - Temp.	1,560.45	924.15	68.85%	7,514.40
606000 · Water Sales - Solvang	4,469.71	4,469.71	0.0%	137,895.31
608000 · Water Sales - On-Demand	1,144.72	1,154.82	-0.88%	31,751.62
611500 · Fire Service Fees	9,682.50	9,647.70	0.36%	106,894.39
<b>Total WATER SALES INCOME</b>	<b>829,573.75</b>	<b>731,043.76</b>	<b>13.48%</b>	<b>8,378,821.80</b>
<b>SERVICE INCOME</b>				
611100 · New Service Fees	0.00	6,026.41	-100.0%	41,770.48
611200 · Reconnection Fees	1,200.00	1,725.00	-30.44%	15,900.00
612400 · Penalties	3,781.62	3,320.93	13.87%	31,876.25
<b>Total SERVICE INCOME</b>	<b>4,981.62</b>	<b>11,072.34</b>	<b>-55.01%</b>	<b>89,546.73</b>
<b>Total 600000 · SERVICE &amp; SALES REVENUE</b>	<b>834,555.37</b>	<b>742,116.10</b>	<b>12.46%</b>	<b>8,468,368.53</b>
<b>625000 · ASSESSMENTS, FEES &amp; OTHER</b>				
611600 · Capital Facilities Chrg.	0.00	26,532.68	-100.0%	106,446.58
<b>620000 · OTHER REVENUES</b>				
624301 · Unrealized Gain/Loss	0.00	0.00	0.0%	-51,917.00
<b>Total 620000 · OTHER REVENUES</b>	<b>0.00</b>	<b>0.00</b>	<b>0.0%</b>	<b>-51,917.00</b>
620006 · Reimbursed Field Labor	0.00	607.66	-100.0%	2,365.74
620008 · Reimbursed Admin Labor	0.00	108.27	-100.0%	794.18
624000 · Miscellaneous Revenue	998.00	17,487.18	-94.29%	47,046.92
625200 · Administrative Fees	250.00	3,000.00	-91.67%	16,325.00
627000 · Tax Revenue - Secured	1.50	381,574.38	-100.0%	865,715.96
<b>628000 · INTEREST INCOME</b>				
629000 · Interest Income - LAIF	0.00	14,373.97	-100.0%	59,754.36
629100 · Interest Income -PIMMA	183.73	199.37	-7.85%	2,766.71
630000 · Interest Income - Cking	12.92	0.97	1,231.96%	44.42
<b>Total 628000 · INTEREST INCOME</b>	<b>196.65</b>	<b>14,574.31</b>	<b>-98.65%</b>	<b>62,565.49</b>
890100 · SWP Pmt. from Solvang	0.00	0.00	0.0%	2,747,649.50
<b>Total 625000 · ASSESSMENTS, FEES &amp; OTHER</b>	<b>1,446.15</b>	<b>443,884.48</b>	<b>-99.67%</b>	<b>3,796,992.37</b>
<b>Total Income</b>	<b>836,001.52</b>	<b>1,186,000.58</b>	<b>-29.51%</b>	<b>12,265,360.90</b>
<b>Cost of Goods Sold</b>				
<b>702000 · SOURCE OF SUPPLY EXPENSES</b>				
703000 · Cach. Water Entitlement	27,794.69	27,794.69	0.0%	214,831.10
704000 · State Water	164,072.54	164,072.54	0.0%	2,034,229.46
705000 · Ground Water Charges	0.00	0.00	0.0%	20,588.40
706000 · Cloudseeding Program	0.00	0.00	0.0%	273.00
707000 · River Well Field Licenses	0.00	0.00	0.0%	13,763.20
860000 · Solvang-SWPmt	0.00	0.00	0.0%	2,747,649.50
<b>Total 702000 · SOURCE OF SUPPLY EXPENSES</b>	<b>191,867.23</b>	<b>191,867.23</b>	<b>0.0%</b>	<b>5,031,334.66</b>



**Santa Ynez River Water Conservation District ID #1**  
**Statement of Revenues & Expenses**  
May 2021

	May 21	Apr 21	% Change	Jul '20 - May 21
<b>710000 · INFRASTRUCTURE EXPENSES</b>				
711000 · Maintenance - Wells	0.00	649.56	-100.0%	5,577.81
712000 · Maintenance - Mains	5,586.09	-402.98	1,486.2%	39,484.24
713000 · Maintenance - Reservoirs	0.00	3,021.55	-100.0%	7,210.00
714000 · Maintenance - Structures	89.63	149.82	-40.18%	2,071.56
717000 · Bradbury Dam SOD	0.00	0.00	0.0%	26,975.88
<b>Total 710000 · INFRASTRUCTURE EXPENSES</b>	<b>5,675.72</b>	<b>3,417.95</b>	<b>66.06%</b>	<b>81,319.49</b>
<b>725000 · PUMPING EXPENSES</b>				
726000 · Pumping Expense (Power)	45,255.20	49,284.62	-8.18%	570,038.31
730000 · Maintenance - Structures	0.00	2,860.00	-100.0%	5,866.85
732000 · Maintenance - Equipmt.	0.00	0.00	0.0%	297.12
<b>Total 725000 · PUMPING EXPENSES</b>	<b>45,255.20</b>	<b>52,144.62</b>	<b>-13.21%</b>	<b>576,202.28</b>
<b>740000 · WATER TREATMENT EXPENSES</b>				
744000 · Chemicals	0.00	4,328.03	-100.0%	34,191.45
748000 · Maintenance - Equipment	0.00	0.00	0.0%	2,791.97
748100 · Wtr Treatment/Sampling Equip	1,965.16	37.32	5,165.7%	6,969.24
748200 · Wtr Treatment/Sampling Equip	145.47	1,153.64	-87.39%	1,447.25
749000 · Water Analysis	0.00	1,080.00	-100.0%	7,175.00
<b>Total 740000 · WATER TREATMENT EXPENSES</b>	<b>2,110.63</b>	<b>6,598.99</b>	<b>-68.02%</b>	<b>52,574.91</b>
<b>750000 · TRANSMISSION &amp; DIST. EXPENSES</b>				
799501 · Uniforms T&D	1,105.53	1,912.96	-42.21%	15,285.79
775401 · ACWA - Health Ins. (T&D)	17,264.92	12,285.17	40.54%	193,458.92
775201 · ACWA - Delta Dental (T&D)	767.12	52.48	1,361.74%	7,119.84
775301 · ACWA - Vision (T&D)	137.68	15.17	807.58%	1,353.81
751000 · Labor	40,676.53	41,729.20	-2.52%	539,943.53
751100 · Labor / Vacation	3,769.41	2,542.99	48.23%	24,834.89
751200 · Labor / Sick Leave	612.70	990.12	-38.12%	9,366.26
751201 · Labor/COVID Sick Leave - T&D	0.00	0.00	0.0%	3,242.24
752100 · Safety Equipment	137.58	506.79	-72.85%	1,637.48
752000 · Materials/Supplies - Other	537.18	1,491.34	-63.98%	5,651.66
<b>Total 752000 · Materials/Supplies</b>	<b>674.76</b>	<b>1,998.13</b>	<b>-66.23%</b>	<b>7,289.14</b>
753000 · SCADA Maintenance	0.00	0.00	0.0%	903.81
754000 · Small Tools	0.00	3,418.72	-100.0%	9,037.36
754100 · Small Tools - Repairs	372.01	0.00	100.0%	437.84
755000 · Transportation	8,649.36	3,421.61	152.79%	40,618.87
756000 · Meter Services	488.16	7,179.61	-93.2%	48,316.13
756100 · Meter Services - Repair	1,509.64	382.11	295.08%	12,088.87
757000 · Road Contracts	0.00	0.00	0.0%	58.00
758100 · Meter Reading (Sensus)	0.00	0.00	0.0%	1,735.33
759000 · Maintenance - Structures	281.25	225.00	25.0%	3,646.91
760000 · Fire Hydrants	0.00	0.00	0.0%	120.64
761000 · Backflow Devices	0.00	50.00	-100.0%	50.00
762000 · Backhoe-Maintenance	5,377.35	0.00	100.0%	5,520.62

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

May 2021

	May 21	Apr 21	% Change	Jul '20 - May 21
763000 · Generators/Maintenance	1,713.59	0.00	100.0%	1,713.59
750000 · TRANSMISSION & DIST. EXPENSES - Other	0.00	284.46	-100.0%	284.46
<b>Total 750000 · TRANSMISSION &amp; DIST. EXPENSES</b>	<b>83,400.01</b>	<b>76,487.73</b>	<b>9.04%</b>	<b>926,426.85</b>
<b>Total COGS</b>	<b>328,308.79</b>	<b>330,516.52</b>	<b>-0.67%</b>	<b>6,667,858.19</b>
<b>Gross Profit</b>	<b>507,692.73</b>	<b>855,484.06</b>	<b>-40.65%</b>	<b>5,597,502.71</b>
<b>Expense</b>				
<b>770000 · GENERAL &amp; ADMIN EXPENSES</b>				
774000 Workers Comp. - Ins.	0.00	0.00	0.0%	17,809.58
6560 · Payroll Expenses	0.00	48.00	-100.0%	822.00
775000 · PERS - Retirement	27,194.55	27,194.55	0.0%	294,159.05
775200 · ACWA - Dental (Admin)	716.88	608.64	17.78%	7,704.60
775300 · ACWA - Vision (Admin)	154.55	137.00	12.81%	1,630.87
775400 · ACWA - Medical Insurance(Admin)	20,243.71	20,243.71	0.0%	221,367.12
777000 · Salaries - Administrative Staff	78,962.26	75,650.18	4.38%	862,838.22
777100 · Salaries / Vacation	2,022.85	4,300.08	-52.96%	32,725.09
777200 · Salaries / Sick Leave	4,045.74	5,080.59	-20.37%	18,221.28
772100 · Admin - COVID Sick Leave	0.00	0.00	0.0%	6,667.46
777401 · Admin. - Comp Time	0.00	0.00	0.0%	86.58
778000 · Training, Travel & Conferences	0.00	112.22	-100.0%	2,872.78
779000 · Dues,Subscrip,Certif.	0.00	459.00	-100.0%	28,707.01
780000 · Building Maintenance	1,062.66	1,041.00	2.08%	11,153.94
781000 · Office Supplies	535.82	482.29	11.1%	10,999.65
781100 · Computer Supply/Training/Softwr	0.00	0.00	0.0%	5,857.25
782000 · Postage & Printing	4,357.41	3,654.64	19.23%	45,399.78
783000 · Utilities	741.54	832.27	-10.9%	9,493.41
784000 · Telephone	1,222.00	1,182.78	3.32%	14,046.40
785000 · Special Services	1,573.79	1,377.63	14.24%	15,412.24
785100 · Government Fees	481.88	0.00	100.0%	11,073.19
786000 · Insurance & Bonds	5,201.29	5,201.29	0.0%	44,694.20
787000 · Payroll Taxes	10,074.25	10,135.74	-0.61%	106,171.09
788100 · General Accounting	0.00	0.00	0.0%	7,495.00
788000 · Audit - Expenses - Other	0.00	0.00	0.0%	27,078.00
<b>Total 788000 · Audit - Expenses</b>	<b>0.00</b>	<b>0.00</b>	<b>0.0%</b>	<b>34,573.00</b>
789000 · Legal - Expenses Gen.	7,257.28	2,967.00	144.6%	41,229.28
790000 · Gen/Prfsl Consultant Expenses	0.00	0.00	0.0%	6,883.53
791000 · Planning & Research	0.00	0.00	0.0%	4,047.10
792000 · Bad Debts	386.38	0.00	100.0%	3,211.86
793000 · Office Equip. Service Contracts	3,260.35	3,147.47	3.59%	29,535.77
794000 · Interest Expenses	0.00	0.00	0.0%	25,468.18
794100 · Annual Fee - Bond Fund	0.00	0.00	0.0%	1,425.00
797000 · Trustee Fees	1,600.00	2,200.00	-27.27%	18,600.00
799000 · Miscellaneous Expenses/Vendors	2,146.27	1,826.72	17.49%	30,942.46
799525 · Gardening Service	240.00	240.00	0.0%	2,640.00
799600 · Customer Refunds	-101.88	-175.87	42.07%	238.04
<b>Total 770000 · GENERAL &amp; ADMIN EXPENSES</b>	<b>173,379.58</b>	<b>167,946.93</b>	<b>3.24%</b>	<b>1,968,707.01</b>
<b>Total Expense</b>	<b>173,379.58</b>	<b>167,946.93</b>	<b>3.24%</b>	<b>1,968,707.01</b>
<b>Net Ordinary Income</b>	<b>334,313.15</b>	<b>687,537.13</b>	<b>-51.38%</b>	<b>3,628,795.70</b>

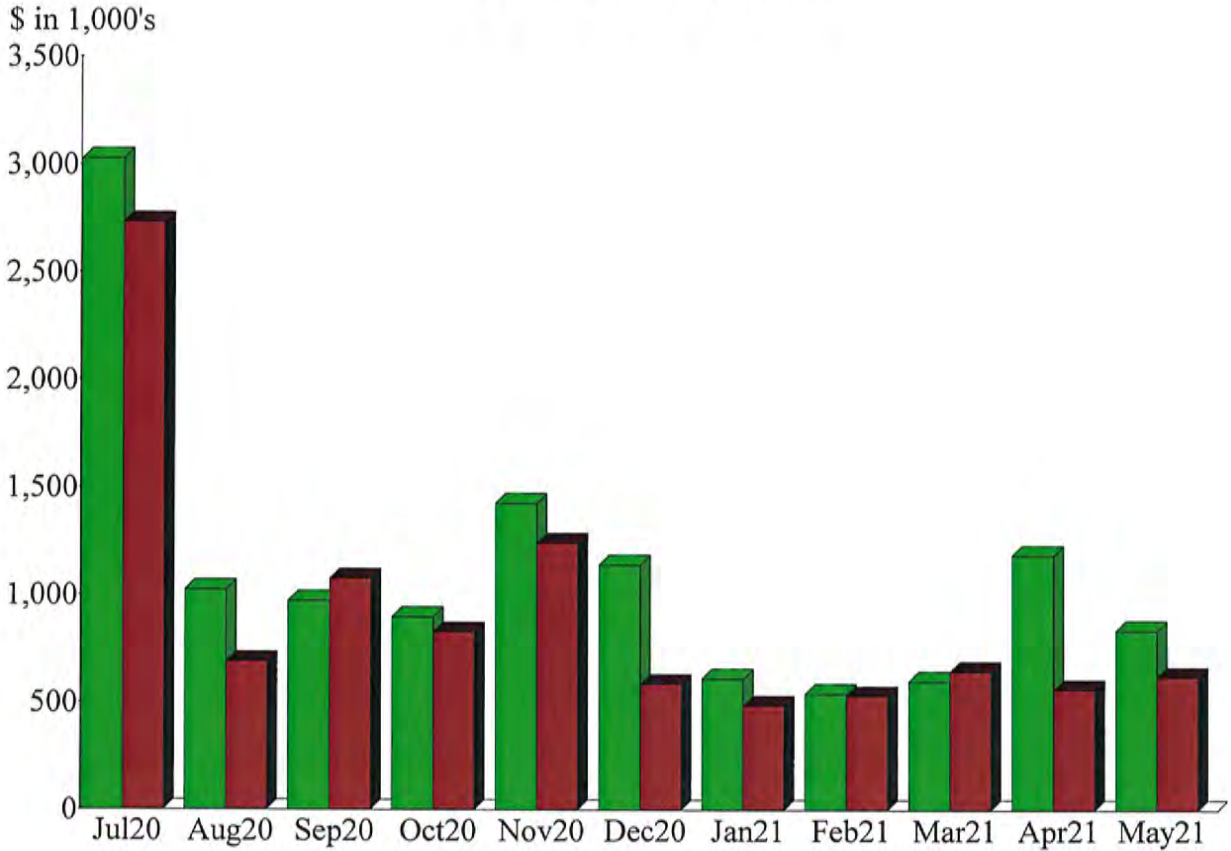
**Santa Ynez River Water Conservation District ID #1**  
**Statement of Revenues & Expenses**  
May 2021

	May 21	Apr 21	% Change	Jul '20 - May 21
<b>Other Income/Expense</b>				
<b>Other Expense</b>				
<b>800000 · LEGAL/ENGINEERING</b>				
<b>800200 · Legal -BB&amp;K/Consultants</b>				
800102 · Sustainable Grndwtr Mgmt Act	3,807.00	5,751.00	-33.8%	43,199.48
800201 · NMFS Biop Recon/Stlhd Rcvry Pln	1,012.50	3,357.00	-69.84%	26,735.00
<b>Total 800200 · Legal -BB&amp;K/Consultants</b>	<b>4,819.50</b>	<b>9,108.00</b>	<b>-47.09%</b>	<b>69,934.48</b>
800203 · River Water Righ Proceed (BHFS)	12,372.50	6,995.50	76.86%	53,166.50
800204 · River Wtr Rgt Procd (Stet/Han)	0.00	0.00	0.0%	5,278.75
800300 · Engineering	0.00	0.00	0.0%	7,735.40
800500 · Unanticipated Spc Legal Expense	3,698.00	7,223.21	-48.8%	63,890.71
826201 · SWRCB Order/Studies (BBK)	0.00	0.00	0.0%	1,277.50
<b>Total 800000 · LEGAL/ENGINEERING</b>	<b>20,890.00</b>	<b>23,326.71</b>	<b>-10.45%</b>	<b>201,283.34</b>
<b>825000 · STUDIES</b>				
<b>825400 · CCRB (Shared Consultants)</b>				
825401 · Joint Bio Op Recon.-Consultants	7,005.63	1,614.00	334.05%	26,305.98
<b>Total 825400 · CCRB (Shared Consultants)</b>	<b>7,005.63</b>	<b>1,614.00</b>	<b>334.05%</b>	<b>26,305.98</b>
<b>825600 · SB Co Water Agency</b>				
825601 · Integrated Regional Water Man.	0.00	0.00	0.0%	3,822.95
825600 · SB Co Water Agency - Other	0.00	0.00	0.0%	4,820.22
<b>Total 825600 · SB Co Water Agency</b>	<b>0.00</b>	<b>0.00</b>	<b>0.0%</b>	<b>8,643.17</b>
825800 · BiOp Implementation	0.00	0.00	0.0%	45,000.00
825900 · Water System Study Updt (Stet)	0.00	414.75	-100.0%	18,959.75
826000 · System Capacity/Cap Impv Plan	0.00	0.00	0.0%	364.00
826101 · SWRCB Order/Studies (Stet/Han)	0.00	0.00	0.0%	2,178.78
<b>Total 825000 · STUDIES</b>	<b>7,005.63</b>	<b>2,028.75</b>	<b>245.32%</b>	<b>101,451.68</b>
<b>85000 · NON-CAPITAL EXPENSES</b>				
850500 · USBR Cach Proj Contract/Cap Prg	0.00	0.00	0.0%	7,584.00
<b>Total 85000 · NON-CAPITAL EXPENSES</b>	<b>0.00</b>	<b>0.00</b>	<b>0.0%</b>	<b>7,584.00</b>
<b>900100 · Constr in Progress CY</b>				
900311 · Chlorine Blg @ Wells	5,142.25	0.00	100.0%	5,142.25
900335 · SWP Pump Station/Pipeline	0.00	0.00	0.0%	1,821.70
900332 · Water Treatment/District Bldg	0.00	0.00	0.0%	907.52
900102 · Zone 1, 2, 3 Reserviors	22,104.34	10,500.00	110.52%	35,754.34
900106 · Rehab/Rpic - Trans. Mains/Lats	965.79	0.00	100.0%	488,151.08
900171 · 4.CFS WII Field	0.00	0.00	0.0%	15,531.10
900183 · GIS Engineering	0.00	0.00	0.0%	1,000.00
900196 · Alamo Pintado BPS	973.50	0.00	100.0%	7,032.80
900197 · Refugio 3-BPS-Repairs	1,731.00	0.00	100.0%	3,168.80
900350 · Uplands Wells	445.50	0.00	100.0%	3,218.40
<b>Total 900100 · Constr in Progress CY</b>	<b>31,362.38</b>	<b>10,500.00</b>	<b>198.69%</b>	<b>561,727.99</b>
<b>900370 · Capital Improvement Prog - CY</b>				
900318 · Meter Replace/Utility Billing	59,524.99	17,695.46	236.39%	180,215.18
900371 · Office Building/Shop Improvemen	0.00	9,105.00	-100.0%	24,596.93
900372 · Office Furn., Computers & Equip	0.00	0.00	0.0%	20,983.19
900373 · Fleet Vehicle Addition/Replace	0.00	0.00	0.0%	85,290.60

**Santa Ynez River Water Conservation District ID #1**  
**Statement of Revenues & Expenses**  
 May 2021

	May 21	Apr 21	% Change	Jul '20 - May 21
900376 · Communications/Telemetry-SCADA	0.00	0.00	0.0%	76,353.57
900378 · Mjr. Tools, Shop & Garage Equip	0.00	0.00	0.0%	103,614.16
<b>Total 900370 · Capital Improvement Prog - CY</b>	<b>59,524.99</b>	<b>26,800.46</b>	<b>122.1%</b>	<b>491,053.63</b>
<b>Total Other Expense</b>	<b>118,783.00</b>	<b>62,655.92</b>	<b>89.58%</b>	<b>1,363,100.64</b>
<b>Net Other Income</b>	<b>-118,783.00</b>	<b>-62,655.92</b>	<b>-89.58%</b>	<b>-1,363,100.64</b>
<b>Net Income</b>	<b>215,530.15</b>	<b>624,881.21</b>	<b>-65.51%</b>	<b>2,265,695.06</b>

Income and Expense by Month  
July 2020 through May 2021



Income Summary  
July 2020 through May 2021

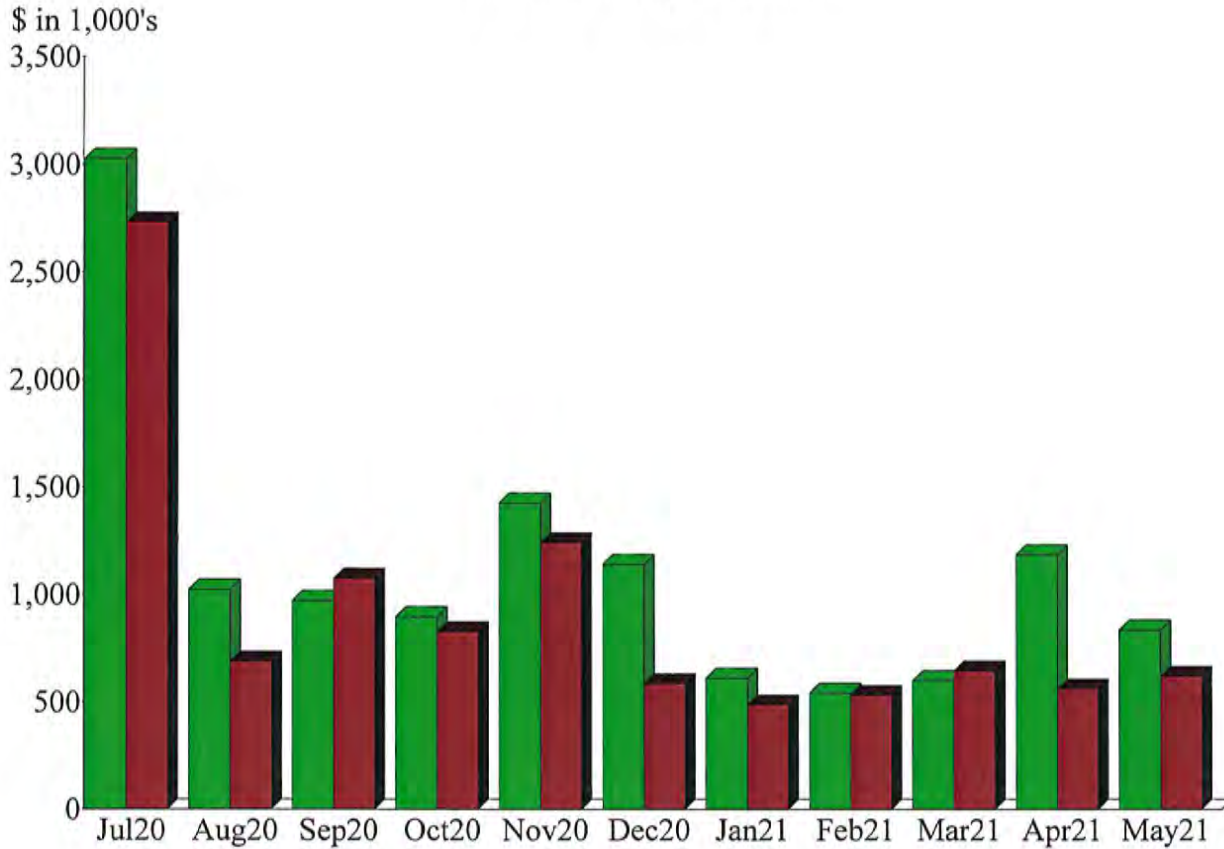
600000 · SERVICE & SALES REVENUE	69.04%
625000 · ASSESSMENTS, FEES & OTHER	30.96%
<b>Total</b>	<b>\$12,265,360.90</b>



By Account

Income and Expense by Month  
July 2020 through May 2021

Income  
Expense



Expense Summary  
July 2020 through May 2021

702000 · SOURCE OF SUPPLY EXPENSES	50.32%
770000 · GENERAL & ADMIN EXPENSE	19.69
750000 · TRANSMISSION & DIST. EXPEN	9.26
725000 · PUMPING EXPENSES	5.76
900100 · Constr in Progress CY	5.62
900370 · Capital Improvement Prog - CY	4.91
800000 · LEGAL/ENGINEERING	2.01
825000 · STUDIES	1.01
710000 · INFRASTRUCTURE EXPENSES	0.81
740000 · WATER TREATMENT EXPENSES	0.53
Other	0.08
<b>Total</b>	<b>\$9,999,667.46</b>



By Account

# Santa Ynez River Water Conservation District ID #1 Warrant List for Board Approval

May 19 through June 14, 2021

Date	Num	Name	Amount
May 19 - Jun 14, 21			
05/28/2021	23853	ACWA/JPIA - Health May Premium	\$ 40,184.12
06/14/2021	23854	All Around Landscape Supply/SiteOne	\$ 181.97
06/14/2021	23855	Aramark Uniform Serv Inc.	\$ 1,088.72
06/14/2021	23856	Best Best & Krieger LLP	\$ 11,825.13
06/14/2021	23857	Brownstein,Hyatt,Farber, Schreck	\$ 23,327.78
05/28/2021	EFT	CA State Disbursement - May 2021	\$ 513.00
05/28/2021	EFT	CalPERS - Retirement May 2021	\$ 32,000.71
06/14/2021	23858	Cachuma Operations & Maintenance Board	\$ 15,000.00
06/14/2021	23859	Clinical Lab of San Bernardino Inc.	\$ 1,080.00
06/14/2021	23860	Coastal Copy	\$ 148.71
06/14/2021	23861	Comcast	\$ 351.24
06/14/2021	23862	Dig Safe Board	\$ 30.86
06/14/2021	23863	Echo Communications	\$ 185.25
05/28/2021	EFT	Employment Dev. Dept. - May 2021	\$ 7,923.41
06/14/2021	23864	FedEx	\$ 154.00
06/14/2021	23865	GPM Pavement Management	\$ 2,060.00
06/14/2021	23866	Hach Company	\$ 837.12
06/14/2021	23867	Harrison Hardware Inc	\$ 182.45
06/14/2021	23868	ICONIX Waterworks (US) Inc.	\$ 1,339.35
06/14/2021	23869	Iron Mountain	\$ 98.22
06/14/2021	23870	IVR Technology Group, LLC	\$ 80.26
06/14/2021	23871	J. Winther Chevron, Inc.	\$ 1,870.64
06/14/2021	23872	Jan-Pro Cleaning Systems	\$ 900.00
06/14/2021	23873	JANO Printing & Mailworks	\$ 3,336.49
06/14/2021	23874	JV Outdoor Power Equipment	\$ 360.38
05/28/2021	EFT	Lincoln National Life - May 2021	\$ 2,600.00
06/14/2021	23875	MarBorg Industries	\$ 181.74
06/14/2021	23876	McCormix Corp	\$ 2,905.57
05/28/2021	EFT	Mechanics Bank - May Payroll Taxes	\$ 34,826.33
06/14/2021	23877	Mission Ready Mix	\$ 1,651.25
06/14/2021	23878	Nielsen Building Materials Inc	\$ 115.69
06/14/2021	23879	O'Reilly Auto Parts	\$ 163.89
06/14/2021	23880	Otto Electrical, Inc	\$ 2,930.00
05/28/2021	EFT	Payroll - May 2021	\$ 91,094.84
06/14/2021	23881	P G & E	\$ 55,640.28
06/14/2021	23882	Praxair Distribution Inc	\$ 23.61
06/14/2021	23883	Pulido B. Landscape Tree Service	\$ 240.00
06/14/2021	23884	Quadient Leasing	\$ 392.48
06/14/2021	23885	Quill	\$ 368.82
06/14/2021	23886	Quinn Company	\$ 829.21
06/14/2021	23887	Santa Maria CA News Media, Inc	\$ 461.92
06/14/2021	23888	Silvas Oil Company (Buvick Petroleum)	\$ 3,797.82
06/14/2021	23889	Streamline	\$ 400.00
06/14/2021	23890	SYCSD	\$ 80.78

# Santa Ynez River Water Conservation District ID #1 Warrant List for Board Approval

May 19 through June 14, 2021

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Amount</u>
06/14/2021	23891	The Gas Company	\$ 23.15
06/14/2021	23892	Tierra Contracting, Inc.	\$ 30,632.50
06/14/2021	23893	Underground Service Alert	\$ 80.95
06/14/2021	23894	United Rentals	\$ 6,042.83
06/14/2021	23895	USA Bluebook	\$ 5,658.03
06/14/2021	23896	Verizon Wireless	\$ 870.76
06/14/2021	23897	Waste Management of Santa Maria	\$ 285.43
06/14/2021	23898	P G & E	\$ 1,500.00
		Total	<u>\$ 388,857.69</u>

May 19 - Jun 14, 21



Water Rates						Exhibit "A"
Current Water Rates	Proposed Rates Effective on or After					
	Feb-1 2017	Jan-1 2018	Jan-1 2019	Jan-1 2020	Jan-1 2021	
<b>MONTHLY METER CHARGES</b>						
<b>Domestic &amp; Rural Residential/Limited Agriculture</b>						
<u>Meter Size</u>						
5/8-inch	\$38.78	\$38.78	\$39.86	\$41.40	\$42.98	\$44.19
3/4-inch	46.42	46.42	47.83	49.68	51.57	53.03
1-inch	76.98	76.98	79.72	82.80	85.96	88.38
1-1/2-inch	153.62	153.62	159.44	165.60	171.91	176.76
2-inch	243.80	243.80	255.10	264.97	275.06	282.82
3-inch	490.60	490.60	478.31	496.81	515.73	530.29
4-inch	691.91	691.91	797.18	828.02	859.56	883.81
6-inch	1,543.43	1,543.43	1,594.36	1,656.04	1,719.12	1,767.62
8-inch	2,455.55	2,455.55	2,550.98	2,649.66	2,750.59	2,828.19
<b>Agricultural</b>						
<u>Meter Size</u>						
1-1/2-inch	\$62.40	\$62.40	\$66.16	\$68.72	\$71.34	\$73.35
2-inch	103.14	103.14	105.86	109.96	114.15	117.37
3-inch	207.56	207.56	209.71	211.87	214.02	220.06
4-inch	289.06	289.06	330.82	343.62	356.71	366.77
6-inch	645.61	645.61	661.64	687.24	713.41	733.54
<b>Private Fire Protection</b>						
<u>Service Connection or Meter Size</u>						
Up to 1-inch	\$19.40	\$7.70	\$8.00	\$8.30	\$8.60	\$8.80
1-1/2-inch	19.40	15.40	15.90	16.60	17.20	17.70
2-inch	19.40	24.40	25.50	26.50	27.50	28.30
3-inch	29.10	49.10	47.80	49.70	51.60	53.00
4-inch	38.80	69.20	79.70	82.80	86.00	88.40
6-inch	97.00	154.30	159.40	165.60	171.90	176.80
8-inch	194.00	245.60	255.10	265.00	275.10	282.80
<b>CONSUMPTION CHARGES</b>						
<i>Charge per hundred cubic feet (hcf) of metered water consumption.</i>						
Domestic (Residential & Comm'l)	\$3.81	\$4.30	\$4.80	\$4.95	\$5.05	\$5.15
<b>Rural Residential/Limited Agriculture</b>						
First 125 units	3.81	4.30	4.80	4.95	5.05	5.15
Over 125 units	1.31	1.65	1.98	2.22	2.46	2.69
Agriculture (No Domestic Use)	0.50	0.77	1.04	1.31	1.59	1.87
On-Demand	6.08	8.60	9.60	9.90	10.10	10.30
Temporary	6.25	12.90	14.40	14.85	15.15	15.46
Cachuma Park	1.38	1.48	1.55	1.63	1.71	1.80

Note: One hundred cubic feet (hcf) = 748 gallons

Resolution No. 756 – Approved on December 13, 2016

**RESOLUTION NO. 805**

**A RESOLUTION OF THE BOARD OF TRUSTEES  
OF THE SANTA YNEZ RIVER WATER CONSERVATION DISTRICT  
IMPROVEMENT DISTRICT NO.1  
ESTABLISHING THE APPROPRIATION LIMIT FOR FISCAL YEAR 2021/2022  
PURSUANT TO ARTICLE XIII B OF THE CALIFORNIA CONSTITUTION**

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

**WHEREAS**, the District is required pursuant to Government Code Section 7910 to establish by Resolution its appropriation limit for the 2021/2022 fiscal year; and

**WHEREAS**, the documentation used in the determination of said limit has been available to the public at the District office and on the District website for at least fifteen (15) days prior to the date of this Resolution, and

**BE IT HEREBY RESOLVED** that, in accordance with information published by the California Department of Finance, the appropriation limit of the Santa Ynez River Water Conservation District, Improvement District No.1, for the 2021/2022 fiscal year is established at \$2,136,415.

**WE, THE UNDERSIGNED**, being duly qualified President and Secretary, respectively, of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1, do hereby certify that the above and foregoing Resolution was duly and regularly adopted and passed by the Board of Trustees of said District at a Special Meeting held on June 14, 2021, by the following roll call vote:

**AYES**, in favor thereof, Trustees:

**NOES**, Trustees:

**ABSENT**, Trustees:

\_\_\_\_\_  
Jeff Clay, President

**ATTEST:**

\_\_\_\_\_  
Mary Martone, Secretary to the Board of Trustees

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

**2021/2022 FISCAL YEAR APPROPRIATION LIMITATION CALCULATION**

Population and California per capita personal income change data provided by the State of California Department of Finance effective January 1, 2021 are used in computing the 2021/2022 Appropriation Limitation Calculation as follows:

2020/21 Appropriation Limit	\$2,058,600
Per Capita Personal Income Percentage Change over Prior Year	5.73 percent
Population Change over Prior Year Santa Barbara County	-1.84 percent
Per Capita converted to a ratio:	$\frac{5.73 + 100}{100} = 1.0573$
Population converted to a ratio:	$\frac{-1.84 + 100}{100} = 0.9816$
CPI Factor	1.0573
Population Factor	0.9816
CPI Factor X Population Factor	1.0378
1.0378 X \$2,058,600 =	<u>\$2,136,415</u>

A Resolution will be presented to the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1, for adoption of the 2021/2022 Appropriation Limit at a Special Meeting on June 14, 2021.



\_\_\_\_\_  
Mary Martone - Secretary to the Board of Trustees

Posted: Thursday, May 20, 2021 at the District Office and on the District Website

Newspaper Publication Dates:

Thursday, May 27, 2021

Thursday, June 3, 2021

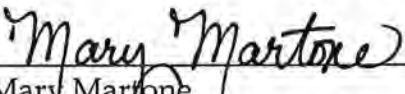
SANTA YNEZ RIVER WATER CONSERVATION DISTRICT  
IMPROVEMENT DISTRICT No.1  
3622 SAGUNTO STREET - P.O. BOX 157  
SANTA YNEZ, CA 93460  
(805) 688-6015

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 will consider adopting a Resolution setting the limit of appropriations pursuant to Article XIII B of the Constitution of the State of California for fiscal year 2021/2022 at a Special Meeting to be held on Monday, June 14, 2021, at 3:00 p.m.

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

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Mary Martone  
Secretary to the Board of Trustees

Dated: May 20, 2021

Posted: Thursday, May 20, 2021 at the District Office

Newspaper Publication Dates:  
Thursday, May 27, 2021  
Thursday, June 3, 2021

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



**FINAL BUDGET  
FY 2021/2022**



**BOARD OF TRUSTEES**

**Jeff Holzer**  
Division 1

**Jeff Clay - President**  
Division 2

**Lori Parker**  
Division 3

**Michael Burchardi**  
Division 4

**Brad Joos - Vice President**  
Trustee-At-Large

This Budget was prepared under the direction of:

Paeter Garcia, General Manager

Mary Martone, Assistant General Manager/Secretary to the Board

**STAFF CONTRIBUTORS**

Eric Tambini, Water Resources Manager

Joe Come', Construction & Maintenance Supervisor

## **MISSION STATEMENT**

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

## **DISTRICT OVERVIEW, STRUCTURE AND STAFFING**

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

Located in the central portion of Santa Barbara County, the District serves the communities of Santa Ynez, Los Olivos, Ballard, the Santa Ynez Band of Chumash Indians, and the City of Solvang (limited basis). With a service area population of approximately 6,737 (excluding the City of Solvang), the District currently provides water directly to approximately 2,598 municipal and industrial customers (including domestic/residential, commercial, institutional, rural residential, and fire service) and approximately 97 agricultural customers. The District encompasses an area of approximately 10,850 acres (including approximately 1,300 acres within Solvang).

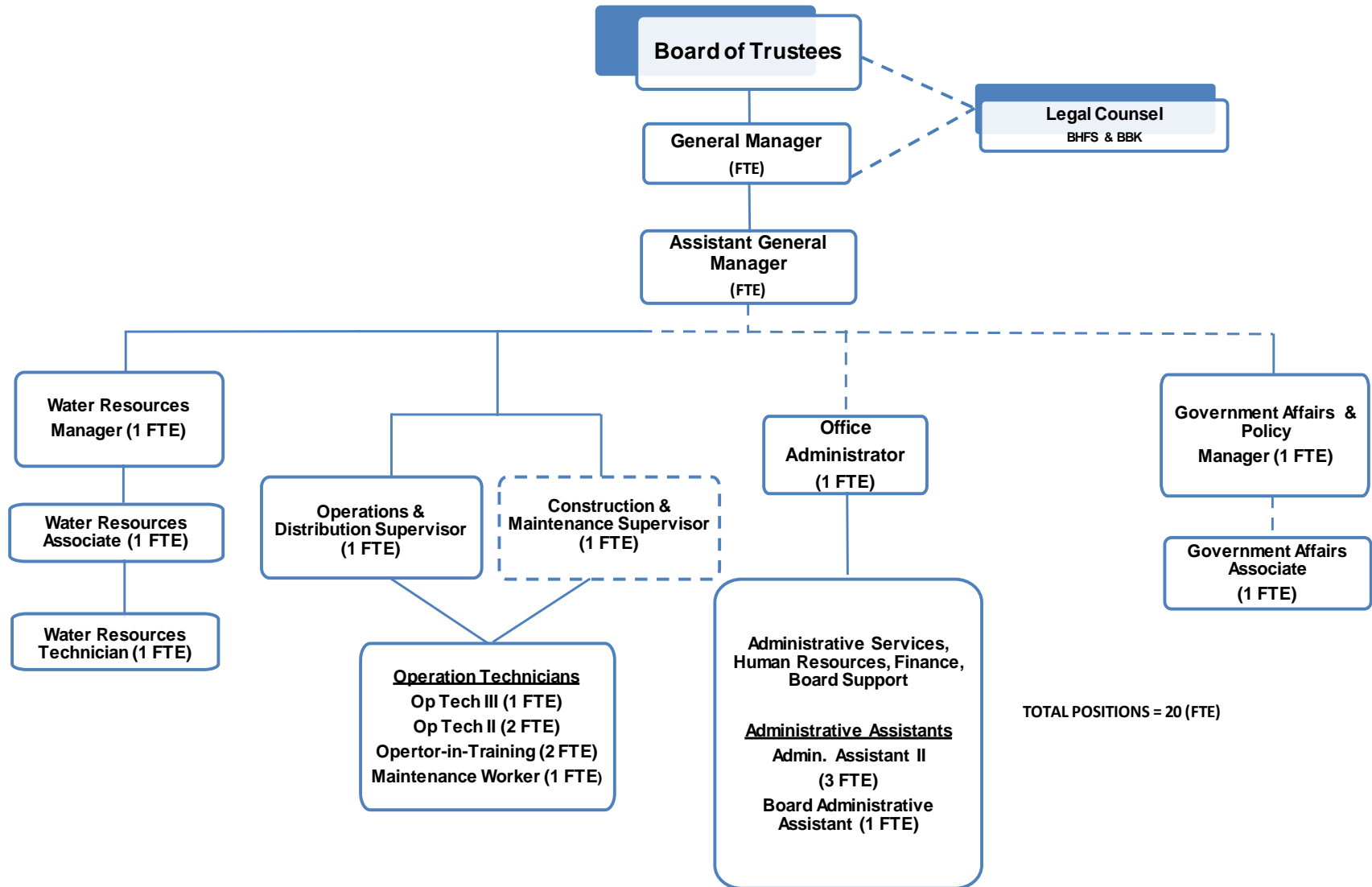
The District obtains its water supplies from the Cachuma Project/State Water Exchange, direct diversions from the Cachuma Project (as needed), contractual deliveries from the State Water Project as a member agency of the Central Coast Water Authority, production from the Santa Ynez Uplands Groundwater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

## **Operational Information**

- District Pipelines (in miles) = 92
- Number of Booster Pump Stations = 4 with 12 pumps
- Number of Active Wells = 18
- SWP/ID No.1 Turnout = 5 pumps
- Number of water storage reservoirs/tanks = 4 with a total capacity of 16.7 million gallons
- Current number of approved, funded full-time equivalent (FTE) positions = 20

# ORGANIZATION CHART

## FISCAL YEAR 2021/2022





## EXECUTIVE SUMMARY

### FISCAL YEAR 2021/22

#### **BUDGET PROCESS**

The District's fiscal year budget is one of the most important documents prepared by management for the Board of Trustees. The financial accounts and line items reflected in this document and the FY 2021/22 Final Budget describe the annual fiscal year budget beginning July 1, 2021 and ending on June 30, 2022.

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

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

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

#### **REPORTING BASIS**

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

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

The FY 2021/22 Final Budget was developed from the Uniform System of Accounts for Water Utilities which includes a set of tables providing details for revenue and expenditure categories of the

District. The tables contained in this Report are intended to be reviewed in connection with the actual FY 2021/22 Final Budget document. The accounting for the budget is supported by the QuickBooks accounting system which is verified annually by an independent audit performed by Bartlett, Pringle & Wolf. The budget tables show categories of the operating revenues as compared to operating expenditures along with debt service and special studies expenditures, including but not limited to compliance with various state and federal regulatory requirements applicable to fisheries protection in the Lower Santa Ynez River, compliance with water rights orders issued by the State Water Resources Control Board, and implementation of contractual requirements. The amounts of the District's operating expenses are to be funded by operating revenues and as necessary and appropriate from reserve funds. The Capital Improvement Project expenditures can be funded by a combination of operating revenues and reserves.

**BUDGET AND RESERVE FUND BACKGROUND**

The 2016 Water Rate Study, inclusive of the approved Water Rate Schedule, was adopted by the District's Board of Trustees on December 13, 2016 and became effective on February 1, 2017. The Water Rate Study and Schedule provide the foundation for incrementally increased revenues over a five-year period. Rates were developed to meet operating expenses, debt service obligations, capital improvement projects (partially), and other planned expenditures. The Water Rate Study also includes a Reserves analysis and a plan for adding to the District's reserve funds over the same five-year period to allow for recovery of reserve deficits that occurred over the previous six-year period. The FY 2021/22 Final Budget proposes to fully fund all expense categories, including Operations and Maintenance (O&M), General and Administrative (G&A), Debt Service, Other Expenses and Special Studies, and Capital Improvement Project program costs, leaving a net balance of \$341,874 which will be added to the District's reserves.

Below are the past fiscal year and most current Reserve balances based on actual accounting and audit information with the Reserve Balance table reflecting reserves in our Local Agency Investment Fund (LAIF).

	<b><u>RESERVE BALANCE</u></b>	
	<b>June 30, 2020</b>	<b>March 31, 2021 <sup>1</sup></b>
<b><u>BOARD RESERVED</u></b>		
Debt Repayment Obligation	\$0	\$2,407,942 <sup>2</sup>
Repair & Replacement	\$1,474,905	\$2,938,191
Plant Expansion	\$2,488,196	\$4,218,464
<b>Subtotal</b>	<b>\$3,963,101</b>	<b>\$9,564,597</b>
<b><u>RESTRICTED RESERVE</u></b>		
Dev. Fee; SY Septic	\$109,212	\$109,212
State Water Project Reserve <sup>3</sup>	\$3,000,000	\$3,000,000

1. Amounts reflected in this column represent reserve balance at 9-months of current FY 2020/21. The year-end reserve amount will change at June 30, 2021 to reflect a balance based on actual accounting for projects and debt service expenditures.
2. Amounts reflected in this column represent a Debt Payment Obligation reserve balance at 9-months of current FY 2020/21. The year-end reserve amount in this category will change at June 20, 2021 to reflect payments for the 2004A Bond payable on June 1, the SWP payment due on June 1, and the USBR Safety of Dams Repayment Contract payment.
3. One year set aside payment established to guarantee ID No.1's contractual debt obligation in the event of a default by the City of Solvang.

## **BUDGET IN DETAIL**

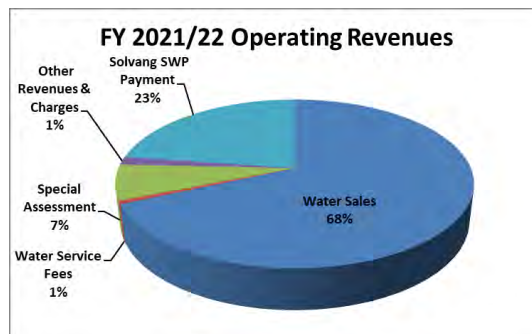
The specific revenue and expenditure categories of the budget account for the scheduled increase in water rates and charges and corresponding revenues (**Option 1**), prior year audit data, and financial account information. The categories are displayed using actual 9-month revenue and expenditure data from the current fiscal year, and are also projected to show the fiscal year-end figures (June 30, 2020). This information is used as part of the evaluation to develop the FY 2021/22 Final Budget. **As reflected in Appendix A to the FY 2021/22 Final Budget, management has prepared a revenue and expenditure comparison based on two additional scenarios. One scenario (Option 2) is based on the final scheduled water rate increase as set forth in the 2016 Water Rate Study being deferred for the entirety of FY 2021/22 and therefore increased water sales revenues would not occur. The second scenario (Option 3) is based on increasing the consumption charges only as set for in the 2016 Water Rate Study with no increase to the meter charges.**

The FY 2021/22 Final Budget of \$12,894,811 reflects an overall 4.4% increase compared to the projected June 30, 2021 year-end results, but is 5.8% less than the financial projections adopted as part of the 2016 Water Rate Study. As noted above, the budget assumes implementation of the last rate increase under the Water Rate Study for the entire fiscal year period (July 1, 2020 through June 30, 2022), which are then applied to forecasted water sales and meter charges in FY 2021/22 based on actual sales and charges in the current and prior fiscal years. The budget also assumes no increase in the \$875,000 Special Assessment Ad Valorem Tax assessment, even though the authorized limit for FY 2021/22 is \$2,136,415. Other factors such as capital facilities charges and interest income are integral parts of the forecast. The results shown below reflect that budgeted revenues will meet projected operating expenditures and debt service obligations, and result in a projected net revenue balance of \$2,722,813. This revenue balance will fund the Other Expenses and Special Studies categories as further detailed in the Final Budget, leaving a balance of \$2,179,313 in net operating revenues, which will fully fund the proposed \$1,837,439 Capital Improvement Projects (CIP) Program for FY 2021/22, leaving a net balance of \$341,874 which will be added to the District's reserves.

## **SUMMARY OF REVENUES**

The District operates entirely based on the cost of service with revenues derived primarily from water sales, the special tax assessment, fixed monthly service charges, and other water services. For the FY 2021/22 Final Budget, the total operating revenues are projected at \$12,894,811 including the SWP revenue of \$2,931,883 from the City of Solvang. Actual projected total revenues are \$9,962,928 without the SWP pass-through payment. Table 2 below summarizes the distribution of the District's projected revenue sources for FY 2021/22.

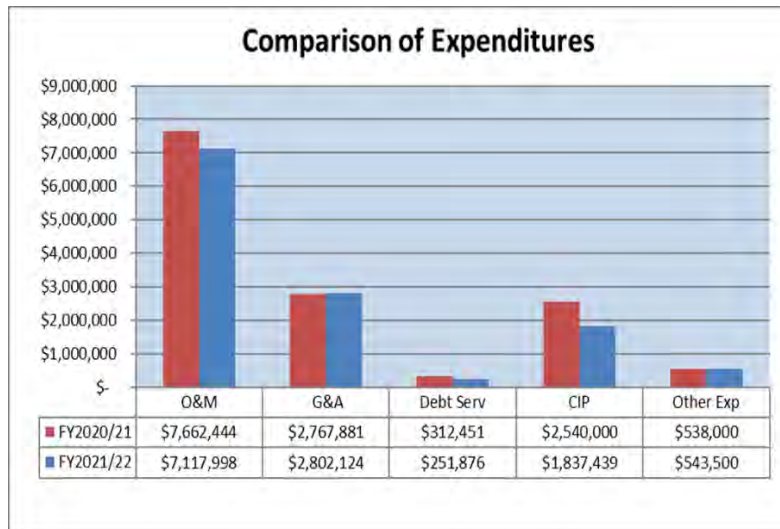
Table 2



**SUMMARY OF EXPENDITURES**

Based on the FY 2021/22 Final Budget, the projected water sales and other operating revenues, including the FY 2021/22 Special Assessment, will adequately fund the overall operating expenditures, including all categories of Operation & Maintenance, General & Administrative, and Debt Service, and result in a net revenue balance of \$2,722,813. This net balance of operating revenues is proposed to fund the District’s Other Expenses and Special Studies categories as further detailed in the Final Budget. Thereafter, a net revenue balance of \$2,179,313 is proposed to fully fund the District’s FY 2021/22 CIP program. Table 3 below shows all expenditure categories for FY 2021/22 in comparison to the previous fiscal year.

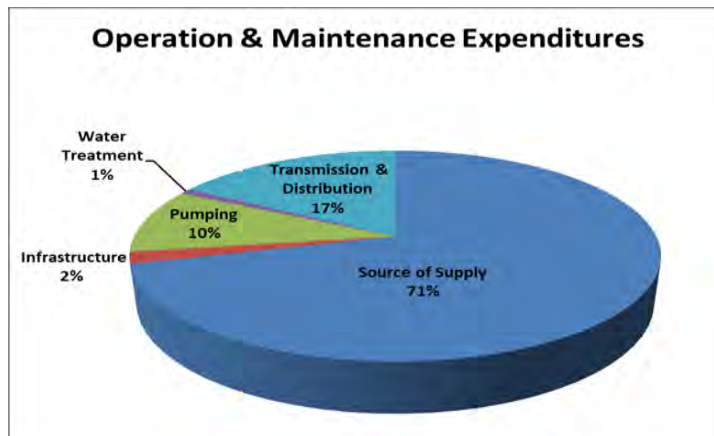
Table 3



**EXPENDITURES - OPERATION AND MAINTENANCE (O&M)**

The overall budget for O&M expenditures for FY 2021/22 is 7.6% (\$544,446) less than last year’s FY 2020/21 budget, with the Source of Supply category having the single largest decrease. This is directly attributable to the California Department of Water Resources (DWR) charges for State Water Project (SWP) deliveries being reduced by \$442,307 for ID No.1 and \$211,067 for the City of Solvang’s passthrough expenses for the year. Additionally, the United States Bureau of Reclamation (USBR) charges for Cachuma Project supplies reflect a \$27,187 reduction in the coming fiscal year. Table 4 below illustrates the distribution of costs for the O&M expense categories.

Table 4



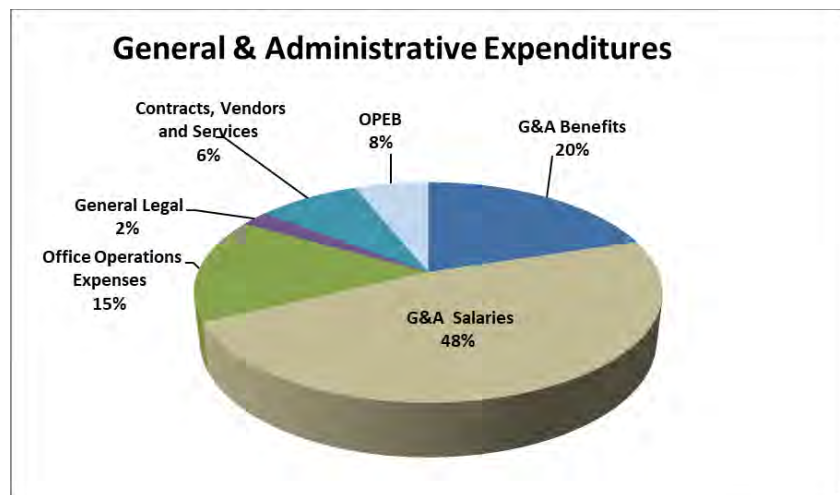
**EXPENDITURES - GENERAL AND ADMINISTRATION (G&A)**

The overall budget for G&A expenditures for FY 2021/22 is 1.2% (\$34,243) more than last year’s FY 2020/21 budget. The increase reflects a proposed 1.5% Cost of Living Adjustment (COLA) and merit increases in accordance with the District’s adopted Personnel Policy and Salary Schedule. The COLA is consistent with industry standards and the District’s past practice, and is based upon the Consumer Price Index (CPI) nine-month calculation data (July-March). The COLA adjustment is obtained by averaging the prior nine-month indexes for all urban wage earners and clerical workers and comparing that average to the previous nine-month averaged data for the Los Angeles-Long Beach-Anaheim area of California.

Other administrative expenses, including payroll taxes, office maintenance, office supplies, and miscellaneous service contracts are projected to increase only slightly due to inflationary and vendor cost increases.

Notably, the expenditure increase is partially offset by reductions in health and dental expenses resulting from the removal of beneficiaries from the plan, savings on Santa Barbara County elections fees, and decreased travel expenses. Table 5 below illustrates the distribution of costs for the G&A expense categories.

Table 5



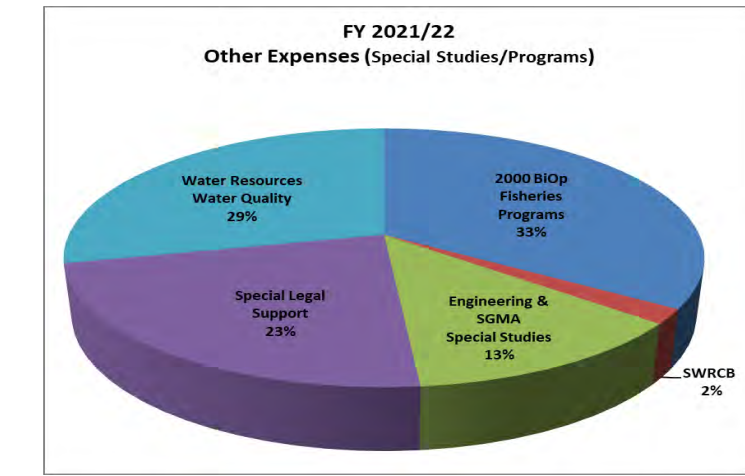
**DEBT SERVICE**

The District’s Debt Service accounts for FY 2021/22 include (1) the USBR Safety of Dams repayment (principal and interest) which remains constant for the 50-year term at \$26,976 per year, and (2) the Series 2004A Bond repayment (principal and interest) of \$224,900 per year, which decreases annually based on the repayment terms. The total debt service obligations must be paid from operating revenues on June 1 of each year. As detailed above, the FY 2021/22 operating revenues, inclusive of the Special Tax Assessment, are projected to fully fund the District’s operating expenses plus debt service.

**OTHER EXPENSES**

For FY 2021/22, the budgeted amount of \$543,500 in the Other Expenses category will be funded by the net revenue balance of \$2,722,813. The FY 2021/22 budget for Other Expenses is \$50,500 higher than what was budgeted in FY 2020/21, where an additional \$60,000 is budgeted for the coming fiscal year to undertake a new water rates study. As fully detailed in the 2021/22 Final Budget, the cost categories are projected to shift in several ways, which reflect ongoing work related to the new State Water Resource Control Board Order and related studies for the Cachuma Project, the ongoing federal Endangered Species Act Section 7 re-consultation process for the Cachuma Project, ongoing water right proceedings in the Lower Santa Ynez River, and an updated District-wide water system study, among other matters. Table 6 below illustrates the distribution of costs for the Other Expenses categories.

Table 6



**CAPITAL IMPROVEMENT PROJECTS (CIP)**

In years past, the District’s CIP program was seriously compromised by shortfalls in operating revenues caused by outdated water rates and a multi-year suspension on the levy of a Special Tax Assessment. Those shortfalls required incremental drawdowns of District reserves simply to meet annual operating expenses and debt service. Consequently, monies were not available to fund the CIP program, and needed capital improvements to the District’s aging water system were deferred.

On the other hand, when operating revenues are healthy and able to meet and exceed operating expenses, net revenues are available to fund the District’s Debt Service and Other Expenses (including Special Studies) and then contribute to building reserves and/or funding the CIP program. In FY 2018/19, revenues began to stabilize, allowing for net revenues to be added to reserves for capital improvements. In FY 2020/21, the District was able to budget for important infrastructure investments. While many of those CIP projects were undertaken and completed, several of them were suspended due to the COVID-19 pandemic and related orders and restrictions issued by federal, state, and local authorities. Those capital projects that were unable to be completed during FY 2020/21 have been rolled forward into the FY 2021/22 Final Budget.

For FY 2021/22, a total of \$1,837,439 is budgeted for the CIP program. This amount is less than the \$2,375,000 CIP budget in FY 2020/21, yet as noted above the District was able to begin and/or complete several of the important projects that were included in last year’s budget. Of particular note, the entire

CIP program for FY 2021/22 will be funded from District's net revenues of \$2,179,313 (after funding Other Expenses) and will not require funding from District reserves. The CIP items include projects needed for replacements, betterments, upgrades, and repairs of the District water supply and distribution system. Projects that were not completed during FY 2020/21 are noted as a "Rollforward Project" below. Additional detail regarding the FY 2021/22 CIP program is provided below.

Account 100332 (\$375,000) – Water Treatment Plant/Building (Rollforward Project) – This account was budgeted to include a combination steel building to house a water treatment and control system for the District's office wells, along with a garage bay for District equipment and needed expansion and upgrade of field crew quarters. Final architectural and engineering design work has been completed. The budgeted amount for FY 2021/22 will remain unchanged from the prior fiscal year, which will be directed to modifying the design to incorporate a District-designated Board Room, finalizing the building design, permitting costs and processing, and the initial phase of construction.

100333 (\$385,000) – Cr6 Blending Station/Facilities (Rollforward Project) – With the resurgence of a new Cr6 water quality standard that may be re-adopted by the State Water Resources Control Board in the coming fiscal year, wherein such Cr6 standard may again impose a limit of 10 ppb or less, funds could be expended for design and/or construction of an interim station/facility to partially mitigate losses in the District's ability to produce upland groundwater.

100372 (\$22,000) – Office Computers, Furniture & Equipment - This account includes the replacement of six office computers as part of the District's routine computer replacement program. The replacement computers costs include the purchase of equipment, software, and network set-up by the District's IT vendor, estimated at \$11,400. The remaining \$10,600 will be utilized to furnish the newly configured semi-private office space for the Office Administrator with an ergonomic stand-up workstation, overhead and floor file cabinets, printer, and other standard office equipment.

100318 (\$481,200) – Meter Replacement/Utility Billing – The Districtwide meter replacement program began in FY 2019/20. This multi-phase replacement program consists of the purchase and installation of new meters to replace meters that have been in service for approximately 20 years and have diminished capabilities to provide accurate accounting of water use. Phase 1, which began mid-year FY 2019/20, resulted in a total of 292 meters being replaced, along with the purchase of necessary hand-held devices for meter reading. Phase 2, intended to commence at the beginning of FY 2020/21, was delayed due to COVID-19. To date, 62% (or 388) of the 630 meters that were budgeted for installation during FY 2020/21 will be completed by June 30, 2021. The FY 2021/22 Final Budget proposes to replace 981 meters (ranging in size from 5/8" to 8"), at a cost of \$481,200.

100371;100140 (\$55,000) – Office Building/Shop Improvements (Rollforward Project) – This account includes construction modifications to the existing staff room at the District office to create a semi-private office space for the Office Administrator position, as well as minor renovations to the office kitchen to upgrade counter tops, cabinets, electrical outlets, and fixtures that have been in place since the 1960s. Both modifications/upgrades are estimated at a total of \$45,000. The remaining \$10,000 will be utilized for upgrades to the shop area, also built in the 1960s, to include additional shelving for tools and equipment, workbenches, and related work stationing for the field crew.

100181-100186 (\$1,000) - ESRI CAD-GIS – This account includes \$1,000 for equipment needs and/or software upgrades necessary to continue the seamless operation of the District’s GIS system that is used to update the District’s atlas.

100350 (\$114,139) – Upland Wells (Partial Rollforward Project) – Funds will be used to upgrade the electrical panels at Well Nos. 7 and 25 (\$106,139), which are substantially obsolete and pose potential safety hazards. The current electrical panel and components need to be brought up to current day standards which will improve efficiency and operational safety. Funds to complete this task include design work, construction drawings, specifications, arch flash analyses, and construction.

New project work under this line-item (\$8,000) includes Final design work, construction drawings, and bid support from a licensed electrical engineer for the electrical panel at Well No. 28. The construction component of this project will be budgeted in the next fiscal year.

100106 (\$60,000) – Rehab/Replace/New Transmission Mains/Laterals/Valves (Partial Rollforward Project) - Funds will be used for the replacement of mainline valves that are broken or inoperable at seven locations within the District (\$35,500), and for the installation of a 6-inch and 8-inch isolation valve (\$15,000) in Los Olivos to reduce the number of affected customers and commercial buildings when repair or replacement work is required in the area. The remaining \$10,000 will be utilized for any unanticipated mainline breaks or mainline reconfiguration that may occur or be necessary during the year.

100170 (\$25,000) – 6 CFS Well Field – This account includes \$15,000 for the needed replacement of a pump and motor at the 6 CFS well field. The remaining \$10,000 will be used to complete the final design work, construction drawings, and bid support for the electrical panel located at Well No. 8 in the 6.0 CFS well field. The construction component of this project will be budgeted in the next fiscal year.

100335 (\$5,000) – SWP Pump Station/Pipeline - This account includes funds for the needed replacement of valves and mechanical equipment at the Mesa Verde Pump Station to ensure reliable deliveries of SWP entitlement and Cachuma exchange water.

100373 (\$47,000) – Fleet Vehicle Replacement – This account includes funds for the purchase of one replacement fleet vehicle (field truck). This vehicle will replace an existing 2004 model with approximately 152,000 miles. The vehicle slated for replacement is beginning to incur ongoing repair costs and is diminishing in reliability.

100171 (\$22,000) – 4 CFS Well Field (Rollforward Project) – This account includes \$15,000 for roof repairs to a wooden vault and installation of a new drain line. This project is required to maintain the integrity of the well. The remaining \$10,000 will be used to complete the final design work, construction drawings, and bid support for the electrical panel located at the 4 CFS well field. The construction component of this project will be budgeted in the next fiscal year.

100311 (\$11,837) – Chlorine Facilities/Wells (Partial Rollforward Project) – Funds from this account will be used to complete the installation of chlorine level monitoring hardware and SCADA



monitoring equipment at eight (8) remote chlorination stations (i.e., wells and well fields). These monitors will provide real-time information for pumping wells, confirming active chlorination, and remotely alerting operators of possible chlorine tank or other chlorination system leaks. The equipment and materials were purchased in FY 2020/21. The \$11,837 will be utilized for the required SCADA programming associated with this project.

100195 (\$7,000) - Refugio 2 Booster Pump Station – Funds will be utilized to complete the final design work, construction drawings, and bid support for the electrical panel at this location. The construction component of this project will be budgeted in the next fiscal year.

100196 (\$134,263) – Alamo Pintado Booster Pump Station (Rollforward Project) – Funds from this account will be used to upgrade the electrical panel, add a manual transfer switch, and complete an arch flash analysis at the Alamo Pintado Booster Pump Station, which is substantially obsolete and poses a potential safety hazard. The current electrical panel and components need to be brought up to current day standards which will improve efficiency and operational safety.

100197 (\$48,500) – Refugio 3 Booster Pump Station (Rollforward Project) – Funds from this account will be used to upgrade the electrical panel at the Refugio 3 Booster Pump Station, which is substantially obsolete and poses a potential safety hazard. The current electrical panel and components need to be brought up to current day standards which will improve efficiency and operational safety.

100198 (\$23,500) – Meadowlark Booster Pump Station (Partial Rollforward Project) – Funds from this account will be used for two different projects at this location.

The first project is the construction of an open sided tin-roof pole barn structure to house the District's large equipment, trailers, and materials to mitigate weather damage currently being incurred for lack of protective cover. Approximately \$5,000 in materials and supplies is anticipated to be spent on this project. The construction work will be completed by the District's field team.

The remaining \$18,000 will be used to complete the final design work, construction drawings, and bid support for the electrical panel at the site. The construction component of this electrical project will be budgeted in the next fiscal year.

100102 (\$20,000) Zones 1 & 2 Reservoirs (Partial Rollforward Project) – Funds in this account will be utilized for electrical upgrades at the Zone 1 Reservoir site to accommodate the installation of two GridBee mixers in the Reservoir. Upgrades will include upsizing the breakers at the meter/main panel, installation of a new distribution subpanel adjacent to the Reservoir, installation of a new overhead feed from the meter location to the subpanel, and installation of conduit and feeder wiring to the reservoir mixers.

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

### **FY 2021/22 FINAL BUDGET CONCLUSION**

The FY 2021/22 Final Budget revenues of **\$12,894,811** are projected to be sufficient to meet total O&M expenses, G&A expenses, and Debt Service obligations of **\$10,171,998** with a net revenue balance of **\$2,722,813**. This net revenue balance of \$2,722,813 will be used to fund the \$543,500 of Other Expenses (including Special Studies) for necessary engineering, design, legal, and consulting work to maintain protection and preservation of the District's water rights and to ensure compliance with various regulatory orders and requirements applicable to the District's rights and water supply portfolio, including but not limited to state-mandated water quality standards and fishery protections applicable to the Cachuma Project in accordance with State Water Resources Control Board Orders and the federal Endangered Species Act. The remaining net revenue balance of **\$2,179,313** will be used to fully fund the District's FY 2021/22 CIP program as detailed above in the amount of **\$1,837,439**. The remaining net revenue balance of **\$341,874** will be added to the District's Reserves.

### **RECOMMENDATION**

**That the Board of Trustees adopt Resolution No. 806 approving and adopting the FY 2021/22 Final Budget and requesting the collection of an assessment levy of \$875,000 for Fiscal Year 2021/22.**



**Santa Ynez River Water Conservation District, Improvement District No.1  
FINAL BUDGET FY 2021-22**

REVENUE		FY 20/21	FY 20/21	Projected Revenues	Final Budget	Variance from
Account No.	Service & Sales	Budget	9-Month Revenues	6/30/20 Year-End	FY 21/22	2020/21 Budget
601000	Agriculture Water Sales & Meter Charges	\$ 1,167,759	\$ 902,426	\$ 1,128,033	\$ 1,347,767	\$ 180,008
602000	Domestic Water Sales & Meter Charges	\$ 4,332,378	\$ 3,644,941	\$ 4,465,052	\$ 4,637,998	\$ 305,620
602100	Rural Res/Lmt'd Ag Sales & Meter Charges	\$ 2,280,970	\$ 2,008,531	\$ 2,510,663	\$ 2,465,761	\$ 184,791
602200	Cachuma Park Water Sales	\$ 17,509	\$ 11,305	\$ 13,566	\$ 19,575	\$ 2,066
606000	Water Sales to City of Solvang	\$ 135,741	\$ 128,956	\$ 142,365	\$ 168,222	\$ 32,481
608000	Water Sales - On-Demand	\$ 38,111	\$ 29,452	\$ 33,870	\$ 40,622	\$ 2,511
611500	Fire Service Charges	\$ 97,271	\$ 87,564	\$ 109,455	\$ 122,258	\$ 24,987
604000	Temporary Water Sales	\$ 6,655	\$ 5,030	\$ 6,287	\$ 6,725	\$ 70
	<b>Subtotal Water Sales</b>	<b>\$ 8,076,394</b>	<b>\$ 6,818,204</b>	<b>\$ 8,409,291</b>	<b>\$ 8,808,928</b>	<b>\$ 732,534</b>
611100	New Services Fees	\$ 40,000	\$ 35,744	\$ 43,543	\$ 40,000	\$ -
611200	Activation/Reconnection Fees	\$ 20,000	\$ 12,975	\$ 15,570	\$ 20,000	\$ -
611900	New Fire Service Fees	\$ 3,000	\$ -	\$ -	\$ 3,000	\$ -
612400	Penalties	\$ 20,000	\$ 24,774	\$ 29,728	\$ 20,000	\$ -
	<b>Subtotal Service</b>	<b>\$ 83,000</b>	<b>\$ 73,493</b>	<b>\$ 88,841</b>	<b>\$ 83,000</b>	<b>\$ -</b>
<b>Assessments, Fees &amp; Other Revenue</b>						
627000-627200	Special Assessment	\$ 875,000	\$ 484,140	\$ 875,000	\$ 875,000	\$ -
628000-630300	Interest Income	\$ 195,000	\$ 47,795	\$ 68,401	\$ 75,000	\$ (120,000)
625200	Application Fees/Special Services	\$ 7,500	\$ 13,075	\$ 14,644	\$ 10,000	\$ 2,500
611600	Capital Facilities Charges	\$ 60,000	\$ 79,914	\$ 106,447	\$ 70,000	\$ 10,000
620006	Reimbursed Field Labor	\$ 2,500	\$ 1,652	\$ 2,352	\$ 2,500	\$ -
620008	Reimbursed Admin. Labor	\$ 1,500	\$ 686	\$ 836	\$ 1,500	\$ -
624000	Other Misc Revenues	\$ 35,000	\$ 28,562	\$ 35,702	\$ 35,000	\$ -
634100	Insurance Claims	\$ 2,000	\$ -	\$ -	\$ 2,000	\$ -
890100	Solvang SWP Payment	\$ 3,142,950	\$ 2,747,650	\$ 2,747,650	\$ 2,931,883	\$ (211,067)
	<b>Subtotal Assessment &amp; Fees</b>	<b>\$ 4,321,450</b>	<b>\$ 3,403,472</b>	<b>\$ 3,851,031</b>	<b>\$ 4,002,883</b>	<b>\$ (318,567)</b>
<b>TOTAL</b>		<b>\$ 12,480,844</b>	<b>\$ 10,295,169</b>	<b>\$ 12,349,163</b>	<b>\$ 12,894,811</b>	<b>\$ 413,967</b>

**EXPENDITURES OPERATIONS & MAINTENANCE**

Account No.	Source of Supply	FY 20/21 Budget	FY 20/21 9-Month Expenditures	Projected Expenditures 6/30/20 Year-End	Final Budget FY 21/22	Variance from 2020/21 Budget
703000	Cachuma Project (USBR) Water Purchase	\$ 316,209	\$ 159,242	\$ 242,626	\$ 287,282	\$ (28,927)
703200	Cachuma Project Renewal/Environmental Fund	\$ 20,960	\$ -	\$ -	\$ 22,700	\$ 1,740
704000	State Water Charge- District Payment	\$ 2,188,130	\$ 1,706,084	\$ 2,198,302	\$ 1,745,823	\$ (442,307)
860000	State Water Project - City of Solvang pymt	\$ 3,142,950	\$ 2,064,882	\$ 2,747,650	\$ 2,931,883	\$ (211,067)
705000	Ground Water Charges	\$ 40,000	\$ 20,588	\$ 37,088	\$ 40,000	\$ -
706000	Cloudseeding Program	\$ 500	\$ 273	\$ 273	\$ 500	\$ -
707000	River Well Field Licenses (4.0cfs , 6.0cfs, Gallery)	\$ 15,000	\$ 13,763	\$ 13,763	\$ 15,000	\$ -
	<b>Subtotal S. of S.</b>	\$ 5,723,749	\$ 3,964,832	\$ 5,239,702	\$ 5,043,188	\$ (680,561)
	<b>Infrastructure</b>					
711000	Maintenance of Wells	\$ 50,000	\$ 4,928	\$ 14,748	\$ 50,000	\$ -
712000	Maintenance of Mains	\$ 45,000	\$ 37,416	\$ 41,158	\$ 45,000	\$ -
713000	Maintenance of Reserviors	\$ 28,000	\$ 4,188	\$ 7,048	\$ 28,000	\$ -
714000	Maintenance of Structures	\$ 5,000	\$ 1,832	\$ 2,500	\$ 5,000	\$ -
	<b>Subtotal Infrastructure</b>	\$ 128,000	\$ 48,365	\$ 65,454	\$ 128,000	\$ -
	<b>Pumping</b>					
726000	Pumping Expense - Power	\$ 595,000	\$ 475,498	\$ 650,648	\$ 689,687	\$ 94,687
730000	Maintenance of Pump Structures/Stations	\$ 10,000	\$ 3,007	\$ 5,867	\$ 15,400	\$ 5,400
732000	Maintenance of Equipment	\$ 1,500	\$ 297	\$ 797	\$ 1,500	\$ -
	<b>Subtotal Pumping</b>	\$ 606,500	\$ 478,802	\$ 657,312	\$ 706,587	\$ 100,087
	<b>Water Treatment</b>					
744000	Chemicals	\$ 25,000	\$ 25,535	\$ 31,919	\$ 35,000	\$ 10,000
748000	Maintenance of Treatment Structures & Equipment	\$ 2,500	\$ 2,792	\$ 3,292	\$ 3,000	\$ 500
748100-748200	Water Treatment/Sampling/Monitoring Equipment	\$ 11,000	\$ 5,115	\$ 10,648	\$ 11,000	\$ -
749000	Water Analysis	\$ 18,000	\$ 6,095	\$ 7,595	\$ 14,000	\$ (4,000)
	<b>Subtotal W.T.</b>	\$ 56,500	\$ 39,537	\$ 53,454	\$ 63,000	\$ 6,500
	<b>Transmission &amp; Distribution</b>					
751000	Field Service Labor	\$ 616,560	\$ 487,066	\$ 608,832	\$ 621,287	\$ 4,727
775000	PERS - Retirement	\$ 128,255	\$ 96,262	\$ 126,009	\$ 137,613	\$ 9,358
775400	ACWA - Health Benefits	\$ 223,413	\$ 163,909	\$ 204,886	\$ 225,956	\$ 2,543
775200	ACWA - Delta Dental	\$ 8,714	\$ 6,300	\$ 7,875	\$ 8,714	\$ 0
775300	ACWA - Vision	\$ 1,652	\$ 1,201	\$ 1,501	\$ 1,652	\$ 0
799500	Uniforms	\$ 16,000	\$ 12,267	\$ 15,947	\$ 16,000	\$ -
752000	Work Materials & Supplies	\$ 10,000	\$ 3,623	\$ 7,623	\$ 10,000	\$ -
752100	Safety Equipment	\$ 6,000	\$ 993	\$ 3,993	\$ 3,000	\$ (3,000)
753000	SCADA Maintenance	\$ 4,500	\$ 904	\$ 1,130	\$ 14,000	\$ 9,500
754000	Small Tools	\$ 15,500	\$ 5,619	\$ 11,361	\$ 15,500	\$ -
754100	Small Tool Repair	\$ 1,500	\$ 66	\$ 266	\$ 1,500	\$ -
755000	Transportation (Vehicle Maintenance/Fuel)	\$ 65,000	\$ 28,497	\$ 37,047	\$ 65,000	\$ -
756000	Meter Service (New)	\$ 20,000	\$ 40,648	\$ 55,876	\$ 20,000	\$ -
756100	Meter and Service Repair	\$ 12,000	\$ 10,546	\$ 12,655	\$ 12,000	\$ -
757000	Road Contracts	\$ 1,000	\$ 58	\$ 808	\$ 1,500	\$ 500
758100	Meter Reading System (Sensus) (Neptune)	\$ 2,500	\$ 1,735	\$ 2,169	\$ 8,400	\$ 5,900
759000	Maintenance of Structures and Improvements	\$ 5,000	\$ 3,141	\$ 3,641	\$ 5,000	\$ -
760000	Fire Hydrants Maintenance	\$ 2,000	\$ 121	\$ 121	\$ 2,000	\$ -
761000	Back Flow Devices Testing	\$ 100	\$ -	\$ 100	\$ 100	\$ -
762000-76300	Backhoe/Generators Maintenance	\$ 8,000	\$ 143	\$ 7,179	\$ 8,000	\$ -
	<b>Subtotal T. &amp; D.</b>	\$ 1,147,694	\$ 863,099	\$ 1,109,019	\$ 1,177,223	\$ 29,529
	<b>TOTAL</b>	\$ 7,662,444	\$ 5,394,637	\$ 7,124,941	\$ 7,117,998	\$ (544,446)

**EXPENDITURES G&A**

Account No.	General & Administrative	FY 20/21 Budget	FY 20/21 9-Month Expenditures	Projected Expenditures 6/30/20 Year-End	Final Budget FY 21/22	Variance from 2020/21 Budget
772000	State Unemp. Claims	\$ -	\$ -	\$ -	\$ -	\$ -
773000	Elections	\$ 15,000	\$ -	\$ 1,800	\$ -	\$ (15,000)
6560	Payroll Expenses	\$ 1,000	\$ 774	\$ 968	\$ 1,200	\$ 200
774000	ACWA Workers Comp Ins	\$ 32,000	\$ 17,810	\$ 24,785	\$ 32,000	\$ -
775000	PERS - Retirement	\$ 231,163	\$ 143,508	\$ 190,582	\$ 234,681	\$ 3,518
775400	ACWA - Health Benefits	\$ 332,906	\$ 180,880	\$ 226,100	\$ 316,769	\$ (16,137)
775200	ACWA - Delta Dental	\$ 12,377	\$ 6,379	\$ 7,974	\$ 11,640	\$ (737)
775300	ACWA - Vision	\$ 2,268	\$ 1,339	\$ 1,674	\$ 2,268	\$ (0)
777100-777401	Management & Administrative Salaries	\$ 1,308,108	\$ 750,477	\$ 938,096	\$ 1,335,049	\$ 26,941
21001	Other Post Employment Benefits	\$ 231,411	\$ 173,558	\$ 231,411	\$ 235,692	\$ 4,281
778000	Education, Training & Travel	\$ 25,000	\$ 2,761	\$ 3,451	\$ 20,000	\$ (5,000)
779000	Dues & Subscription	\$ 34,000	\$ 28,248	\$ 32,485	\$ 34,000	\$ -
780000	Office Maintenance	\$ 4,600	\$ 9,050	\$ 11,765	\$ 12,000	\$ 7,400
799525	Gardening Service	\$ 2,900	\$ 2,160	\$ 2,700	\$ 2,900	\$ -
781000	Office Supplies	\$ 12,000	\$ 9,982	\$ 12,976	\$ 15,500	\$ 3,500
781100	Computer Supplies, Software, Training	\$ 6,000	\$ 5,758	\$ 5,758	\$ 6,000	\$ -
782000	Postage & Printing	\$ 56,000	\$ 37,387	\$ 46,734	\$ 56,000	\$ -
783000	Utilities	\$ 9,500	\$ 7,919	\$ 9,899	\$ 10,000	\$ 500
784000	Telephone	\$ 15,000	\$ 11,642	\$ 14,552	\$ 15,000	\$ -
785000	Services (USA, Website, Security, Answering Services)	\$ 14,000	\$ 12,461	\$ 15,576	\$ 17,000	\$ 3,000
785100	Government Fees (County, State, Local)	\$ 16,000	\$ 10,591	\$ 13,239	\$ 16,000	\$ -
786000	ACWA Liability Insurance	\$ 55,000	\$ 34,292	\$ 49,895	\$ 55,000	\$ -
787000	Payroll Taxes - Federal and State	\$ 130,000	\$ 85,961	\$ 107,451	\$ 138,000	\$ 8,000
788000	Audit & Accounting	\$ 34,500	\$ 34,573	\$ 34,573	\$ 34,500	\$ -
789000	Legal - General					
	BHFS	\$ 55,000	\$ 26,901	\$ 40,352	\$ 55,000	\$ -
	Stradling	\$ 10,000	\$ 4,025	\$ 7,044	\$ 10,000	\$ -
790000	Consulting - General/Professional	\$ 18,000	\$ 6,884	\$ 10,325	\$ 18,000	\$ -
791000	Consulting - Planning/Research	\$ 10,000	\$ 4,047	\$ 6,071	\$ 10,000	\$ -
792000	Customer Debt - Write Offs	\$ 3,774	\$ 2,825	\$ 8,959	\$ 1,000	\$ (2,774)
793000	Office Equipment/Computer Service Contracts	\$ 34,000	\$ 23,128	\$ 32,737	\$ 40,000	\$ 6,000
794100	Annual Fee/Bond Redemption Costs	\$ 1,375	\$ 1,425	\$ 1,425	\$ 1,425	\$ 50
797000	Trustee Fees	\$ 29,000	\$ 14,800	\$ 18,500	\$ 29,000	\$ -
799000	Processing Fees, Admin. Expenses, Medical Costs	\$ 25,000	\$ 26,971	\$ 34,971	\$ 35,500	\$ 10,500
799600	Customer Refunds	\$ 1,000	\$ 516	\$ 903	\$ 1,000	\$ -
	<b>Subtotal G&amp;A</b>	\$ 2,767,881	\$ 1,679,031	\$ 2,145,730	\$ 2,802,124	\$ 34,243
	<b>TOTAL</b>	\$ 2,767,881	\$ 1,679,031	\$ 2,145,730	\$ 2,802,124	\$ 34,243

**SUBTOTAL EXPENDITURES**

G&A/O&M	TOTAL	FY 20/21 Budget	FY 20/21 9-Month Expenditures	Projected Expenditures 6/30/20 Year-End	Final Budget FY 21/22	Variance from 2020/21 Budget
		\$ 10,430,324	\$ 7,073,668	\$ 9,270,672	\$ 9,920,122	\$ (510,202)

DEBT SERVICE		FY 20/21	FY 20/21	Projected Expenditures	Final Budget	Variance from
Account No.	Debt Service	Budget	9-Month Expenditures	6/30/20 Year-End	FY 21/22	2020/21 Budget
717000	USBR SOD Repayment (Principal & Interest)	\$ 26,976	\$ 26,976	\$ 26,976	\$ 26,976	\$ -
794000	Series 2004 A Repayment (Bond Interest)	\$ 25,475	\$ 25,468	\$ 25,468	\$ 14,900	\$ (10,575)
218200	Series 2004 A Repayment (Bond Principal)	\$ 260,000	\$ 260,000	\$ 260,000	\$ 210,000	\$ (50,000)
	<b>Subtotal Debt Service</b>	\$ 312,451	\$ 312,444	\$ 312,444	\$ 251,876	\$ (60,575)
<b>TOTAL</b>		<b>\$ 312,451</b>	<b>\$ 312,444</b>	<b>\$ 312,444</b>	<b>\$ 251,876</b>	<b>\$ (60,575)</b>

TOTAL OPERATING EXPENDITURES		FY 20/21	FY 20/21	Projected Expenditures	Final Budget	Variance from
		Budget	9-Month Expenditures	6/30/20 Year-End	FY 21/22	2020/21 Budget
<b>G&amp;A/O&amp;M/DEBT SERVICE TOTAL</b>		<b>\$ 10,742,775</b>	<b>\$ 7,386,112</b>	<b>\$ 9,583,116</b>	<b>\$ 10,171,998</b>	<b>\$ (570,777)</b>

SUBTOTAL REVENUE BALANCE		FY 20/21	FY 20/21	Projected	Final Budget	Variance from
		Budget	9-Month Actual	6/30/20 Year-End	FY 21/22	2020/21 Budget
<b>OPERATING REVENUES LESS OPERATING EXPENDITURES</b>		<b>\$ 1,738,069</b>	<b>\$ 2,909,057</b>	<b>\$ 2,766,047</b>	<b>\$ 2,722,813</b>	<b>\$ 984,744</b>

OTHER EXPENSES		FY 20/21	FY 20/21	Projected Expenditures	Final Budget	Variance from
Account No.	Special Studies/Programs	Budget	9-Month Expenditures	6/30/20 Year-End	FY 21/22	2020/21 Budget
	<b>Fisheries Program</b>					
825800	BiOp Implementation	\$ 60,000	\$ 45,000	\$ 60,000	\$ 60,000	\$ -
825401	BiOp Studies/Reconsultation (Stetson/Hanson)	\$ 50,000	\$ 17,686	\$ 32,686	\$ 50,000	\$ -
800201	BiOp/Reconsultation/ESA (BBK)	\$ 25,000	\$ 22,365	\$ 30,365	\$ 35,000	\$ 10,000
826101	SWRCB Order/Studies (Stetson/Hanson)	\$ 50,000	\$ 2,179	\$ 7,179	\$ 25,000	\$ (25,000)
826201	SWRCB Order/Studies (BBK)	\$ 25,000	\$ 1,278	\$ 2,778	\$ 15,000	\$ (10,000)
825402	SWRCB Hearings Support (Stetson/Hanson)	\$ -	\$ -	\$ -	\$ 5,000	\$ 5,000
	<b>Special Studies</b>					
825500	Hydrology SYR; Cachuma Water, RiverWare (Stetson)	\$ 5,000	\$ -	\$ -	\$ 5,000	\$ -
825601	Integrated Regional Water Management Plan	\$ 3,000	\$ 3,822	\$ 3,822	\$ 3,500	\$ 500
825600	Water Conservation Program/BMP	\$ 5,000	\$ 4,820	\$ 4,820	\$ 5,000	\$ -
	<b>Subtotal Studies/Programs</b>	\$ 223,000	\$ 97,150	\$ 141,650	\$ 203,500	\$ (19,500)
	<b>Legal &amp; Engineering Services</b>					
	<b>Legal</b>					
800101	SWRCB Hearings Support (BBK)	\$ 50,000	\$ -	\$ -	\$ 5,000	\$ (45,000)
800202	Interagency Involvement	\$ -	\$ -	\$ -	\$ 30,000	\$ -
800500	Unanticipated or Extraordinary Special Legal					
	BHFS	\$ 30,000	\$ 52,355	\$ 60,855	\$ 30,000	\$ -
	BBK	\$ 15,000	\$ 615	\$ 1,000	\$ 15,000	\$ -
	<b>Engineering Services</b>					
800301	Groundwater/Downstream Water Rights	\$ 5,000	\$ -	\$ -	\$ 5,000	\$ -
800300	Easements, Survey & Water Projects	\$ 10,000	\$ 7,735	\$ 9,735	\$ 10,000	\$ -
800102	Sustainable Groundwater Management Act	\$ 40,000	\$ 33,641	\$ 40,000	\$ 40,000	\$ -
	<b>Subtotal Legal/Engineering</b>	\$ 100,000	\$ 94,346	\$ 111,590	\$ 135,000	\$ 35,000
	<b>Non Recurring Expenses/Projects</b>					
826000	CR6 Implementation Plan & Misc. Treatment Projects	\$ 30,000	\$ 364	\$ 364	\$ 30,000	\$ -
825700	Water Rate Study	\$ 15,000	\$ -	\$ -	\$ 75,000	\$ 60,000
850500	USBR Cachuma Project Contract/Capital Programs	\$ 25,000	\$ 7,584	\$ 7,584	\$ 20,000	\$ (5,000)
800203	River Water Right Proceedings (BHFS)	\$ 40,000	\$ 33,799	\$ 40,000	\$ 40,000	\$ -
800204	River Water Right Proceedings (Stetson/Hanson)	\$ 10,000	\$ 5,279	\$ 6,500	\$ 10,000	\$ -
825900	Water System Study Updates (Stetson)	\$ 45,000	\$ 18,545	\$ 25,000	\$ 30,000	\$ (15,000)
	<b>Subtotal Non-Annual</b>	\$ 120,000	\$ 65,570	\$ 79,448	\$ 205,000	\$ 85,000
		\$ 493,000	\$ 257,066	\$ 332,688	\$ 543,500	\$ 50,500

TOTAL OTHER EXPENSES		FY 20/21	FY 20/21	Projected Expenditures	Final Budget	Variance from
		Budget	9-Month Expenditures	6/30/20 Year-End	FY 21/22	2020/21 Budget
<b>TOTAL</b>		\$ 493,000	\$ 257,066	\$ 332,688	\$ 543,500	\$ 50,500

<b>BUDGET BALANCE</b>		<b>FY 20/21 Budget</b>	<b>FY 20/21 9-Month Actual</b>	<b>Projected Yr-end 6/30/20 Year-End</b>	<b>Final Budget FY 21/22</b>	<b>Variance from 2020/21 Budget</b>
	TOTAL REVENUES	\$ 12,480,844	\$ 10,295,169	\$ 12,349,163	\$ 12,894,811	\$ 413,967
	TOTAL O&M EXPENDITURES	\$ (7,662,444)	\$ (5,394,637)	\$ (7,124,941)	\$ (7,117,998)	\$ 544,446
	TOTAL G&A EXPENDITURES	\$ (2,767,881)	\$ (1,679,031)	\$ (2,145,730)	\$ (2,802,124)	\$ (34,243)
	TOTAL DEBT SERVICE	\$ (312,451)	\$ (312,444)	\$ (312,444)	\$ (251,876)	\$ 60,575
	Subtotal Balance	\$ 1,738,069	\$ 2,909,057	\$ 2,766,047	\$ 2,722,813	\$ 984,744
	TOTAL Other Expenses (Spec Study/Legal/Eng/NARES)	\$ (493,000)	\$ (257,066)	\$ (332,688)	\$ (543,500)	
	Sub Total Balance	\$ 1,245,069	\$ 2,651,991	\$ 2,433,359	\$ 2,179,313	\$ 934,244
	<b>Budget Balance</b>	\$ 1,245,069	\$ 2,651,991	\$ 2,433,359	\$ 2,179,313	\$ 934,244



CAPITAL IMPROVEMENT PROJECTS		FY 20/21	FY 20/21	Projected Expenditures	Final Budget	Variance from
Account No.	Plant Expansion	Budget	9-Month Expenditures	6/30/20 Year-End	FY21/22	2020/21 Budget
100.332	Water Treatment/District Building	\$ 375,000	\$ 908	\$ 908	\$ 375,000	\$ -
100.333	Cr6 Treatment Station/Facilities	\$ 385,000		\$ -	\$ 385,000	\$ -
100.372	Office Computers, Furniture & Equipment	\$ 22,000	\$ 20,983	\$ 20,983	\$ 22,000	\$ -
100.318	Meter Replacement/Utility Billing	\$ 263,000	\$ 102,994	\$ 190,446	\$ 481,200	\$ 218,200
100.371;100140	Office Bldg/Shop Improvements	\$ 55,000	\$ 15,492	\$ 33,702	\$ 55,000	\$ -
100.376	Communication/telemetry Equipment (SCADA)	\$ 63,000	\$ 76,354	\$ 81,354	\$ -	\$ (63,000)
100.181-100186	ESRI CAD-GIS System; Equipment	\$ 1,000	\$ 1,000	\$ 1,000	\$ 1,000	\$ -
100.378	Major Tools, Shop & Garage Equipment	\$ 110,000	\$ 103,614	\$ 178,974	\$ -	\$ (110,000)
100.350	Uplands Wells	\$ 82,000	\$ 2,773	\$ 3,219	\$ 114,139	\$ 32,139
<b>Sub-Total - Plant Expansion Projects</b>		<b>\$ 1,356,000</b>	<b>\$ 324,117</b>	<b>\$ 510,585</b>	<b>\$ 1,433,339</b>	<b>\$ 77,339</b>
Account No.	Repair & Replace					
100.106	Rehab/Replace/New-Trans. Mains/Laterals/Valves	\$ 514,000	\$ 487,185	\$ 517,818	\$ 60,000	\$ (454,000)
100.170	6.0 CFS Well Field	\$ 15,000	\$ -	\$ -	\$ 25,000	\$ 10,000
100.335	SWP Pump Station/Pipeline	\$ 5,000	\$ 1,822	\$ -	\$ 5,000	\$ -
100.373	Fleet Vehicle Addition & Replacement	\$ 92,000	\$ 85,291	\$ 85,291	\$ 47,000	\$ (45,000)
100.171	4.0 CFS Well Field	\$ 45,000	\$ 15,531	\$ 15,531	\$ 22,000	\$ (23,000)
100.311	Chlorine Facilities/Wells	\$ 5,000	\$ -	\$ 5,000	\$ 11,837	\$ 6,837
100.195	Refugio 2 BPS	\$ -	\$ -	\$ -	\$ 7,000	\$ 7,000
100.196	Alamo Pintado BPS	\$ 195,000	\$ 6,059	\$ 7,033	\$ 134,263	\$ (60,737)
100.197	Refugio 3 BPS	\$ 47,000	\$ 1,438	\$ 1,669	\$ 48,500	\$ 1,500
100.198	Meadowlark BPS	\$ 101,000	\$ -	\$ 104,980	\$ 23,500	\$ (77,500)
100.102	Zone 1, 2, 3 Reservoirs	\$ 165,000	\$ -	\$ 120,783	\$ 20,000	\$ (145,000)
<b>Subtotal Repair &amp; Replace Projects</b>		<b>\$ 1,019,000</b>	<b>\$ 597,326</b>	<b>\$ 858,104</b>	<b>\$ 404,100</b>	<b>\$ (614,900)</b>
<b>Grand Total Capital Improvement Projects</b>		<b>\$ 2,375,000</b>	<b>\$ 921,443</b>	<b>\$ 1,368,690</b>	<b>\$ 1,837,439</b>	<b>\$ (537,561)</b>

TOTAL CAPITAL IMPROVEMENT PROJECTS		FY 20/21	FY 20/21	Projected Expenditures	Final Budget	Variance from
		Budget	9-Month Expenditures	6/30/20 Year-End	FY 21/22	2020/21 Budget
<b>TOTAL</b>		<b>\$ 2,375,000</b>	<b>\$ 921,443</b>	<b>\$ 1,368,690</b>	<b>\$ 1,837,439</b>	<b>\$ (537,561)</b>

RESERVE BALANCE		FY 20/21	FY 20/21	Projected Yr-end	Final Budget	Variance from
Account No.		Budget	9-Month Actual	June 30-2020	FY 21/22	2020/21 Budget
<b>DISBURSEMENT OF REMAINING BUDGET BALANCE</b>		\$ 1,245,070	\$ 2,651,991	\$ 2,433,359	\$ 2,179,313	\$ 934,244
271800	Repair & Replace Reserve	\$ (1,019,000)	\$ (597,326)	\$ (858,104)	\$ (404,100)	\$ 614,900
272000	Plant Expansion Reserve	\$ (1,356,000)	\$ (324,117)	\$ (510,585)	\$ (1,433,339)	\$ (77,339)
<b>Sub Total CIP Reserves</b>		\$ (2,375,000)	\$ (921,443)	\$ (1,368,690)	\$ (1,837,439)	\$ 537,561
<b>Funding from Reserves</b>		\$ (1,129,930)				
<b>Funding to Reserves</b>			\$ 1,730,548	\$ 1,064,670	\$ 341,874	

TOTAL BUDGET		FY 20/21	FY 20/21	Projected Yr-end	Final Budget	Variance from
		Budget	9-Month Actual	June 30-2020	FY 21/22	2020/21 Budget
<b>TOTAL</b>		\$ 12,480,844	\$ 10,295,169	\$ 12,349,163	\$ 12,894,811	\$ 413,967

# APPENDIX A

	Option 1	Option 2	Option 3
	Assuming Final Rate Increase	Assuming No Rate Increases	Assuming Consumption Only Increase

REVENUES			
Agricultural Water Sales & Meter Charges	\$ 1,347,767	\$ 1,191,485	\$ 1,337,645
Domestic Water Sales & Meter Charges	\$ 4,637,998	\$ 4,534,445	\$ 4,590,995
Rural Res/Limited Ag Sales and Meter Charges	\$ 2,465,761	\$ 2,381,082	\$ 2,437,241
Cachuma Park Water Sales	\$ 19,575	\$ 18,596	\$ 19,575
City of Solvang Water Sales & Meter Charges	\$ 168,222	\$ 164,516	\$ 166,691
On-Demand Water Water Sales & Meter Charges	\$ 40,622	\$ 31,742	\$ 32,264
Fire Service Charges	\$ 122,258	\$ 118,928	\$ 118,928
Temporary Water Sales	\$ 6,725	\$ 6,590	\$ 6,725
Service Fees	\$ 83,000	\$ 83,000	\$ 83,000
Assessments, Fees & Other Revenues	\$ 4,002,883	\$ 4,002,883	\$ 4,002,883
<b>TOTAL REVENUES</b>	<b>\$ 12,894,811</b>	<b>\$ 12,533,267</b>	<b>\$ 12,795,947</b>

EXPENSES			
Source of Supply	\$ 5,043,188	\$ 5,043,188	\$ 5,043,188
Infrastructure	\$ 128,000	\$ 128,000	\$ 128,000
Pumping	\$ 706,587	\$ 706,587	\$ 706,587
Water Treatment	\$ 63,000	\$ 63,000	\$ 63,000
Transmission & Distribution	\$ 1,177,223	\$ 1,177,223	\$ 1,177,223
General and Administrative	\$ 2,802,124	\$ 2,802,124	\$ 2,802,124
Other/Special Programs & Study Fees	\$ 543,500	\$ 543,500	\$ 543,500
<b>TOTAL EXPENSES</b>	<b>\$ 10,463,622</b>	<b>\$ 10,463,622</b>	<b>\$ 10,463,622</b>

NET REVENUES			
Revenues Less Expenses	\$ 2,431,189	\$ 2,069,645	\$ 2,332,325
Less Debt Service	\$ (251,876)	\$ (251,876)	\$ (251,876)
<b>Revenue Balance</b>	<b>\$ 2,179,313</b>	<b>\$ 1,817,769</b>	<b>\$ 2,080,449</b>
Less Capital Expenditures	\$ (1,837,439)	\$ (1,837,439)	\$ (1,837,439)
<b>Funding From Reserves</b>		<b>\$ (19,670)</b>	
<b>Funding To Reserves</b>	<b>\$ 341,874</b>		<b>\$ 243,010</b>

<b>Option 1</b>	Revenues are projected to meet all expenses, including O&M, G&A, Debt Service, Other Expenses, and CIP Program expenses, with a revenue balance of <b>\$341,874</b> added to District Reserves.
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<b>Option 2</b>	Revenues are projected to meet all expenses, including O&M, G&A, Debt Service, Other Expenses, and the majority of CIP program expenses, with the exception of <b>\$19,670</b> needed from reserves to fully fund the CIP Program expenses.
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<b>Option 3</b>	Revenues are projected to meet all expenses, including O&M, G&A, Debt Service, Other Expenses, and CIP Program expenses, with a revenue balance of <b>\$243,010</b> added to District Reserves.
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**RESOLUTION NO. 806**

**A RESOLUTION OF THE BOARD OF TRUSTEES  
OF THE SANTA YNEZ RIVER WATER CONSERVATION DISTRICT  
IMPROVEMENT DISTRICT NO.1  
ADOPTING THE FINAL BUDGET FOR FISCAL YEAR 2021/2022  
AND REQUESTING AN ASSESSMENT LEVY REQUIRED TO COLLECT \$875,000**

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

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

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

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

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

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

**WHEREAS**, the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1, is required to forward to the Board of Supervisors and the County Auditor of the County of Santa Barbara an estimate, in writing, of the amount of money needed for the purposes of Improvement District No.1 for the ensuing fiscal year July 1, 2021 to June 30, 2022, and any reserve funds; and

**WHEREAS**, in accordance with information published by the California Department of Finance, the appropriation limit of the Santa Ynez River Water Conservation District, Improvement District No.1 for fiscal year 2021/2022 is established at \$2,136,415 and the District passed Resolution No. 805 on June 14, 2021 establishing said appropriation limit for fiscal year 2021/2022 pursuant to Government Code Section 7910; and

**WHEREAS**, notwithstanding the District's fiscal year 2021-2022 appropriation limit of \$2,136,415, and notwithstanding the financial projections from the District's 2016 Water Rate Study that the District would collect an assessment levy in the amount of \$875,000 in fiscal year 2017-2018, and \$1,000,000 in fiscal year 2018-2019, and \$1,125,000 in fiscal year 2019-2020, \$1,250,000 in fiscal year 2020-2021, and \$1,250,000 in fiscal year 2021-2022, the District has limited its assessment amount to \$875,000 for fiscal years 2017-2018 through 2020-2021, and it has been determined that an assessment levy of \$875,000 for fiscal year 2021-2022 will provide sufficient funds to meet the obligations of the District as stated above; and

**WHEREAS**, the Board of Trustees has considered a budget for the fiscal year 2021/2022.

**BE IT HEREBY RESOLVED**, by the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1, that the Secretary to the Board is hereby authorized and directed to forward to the Board of Supervisors and the County Auditor of the County of Santa Barbara, in writing, a request for an assessment levy of \$875,000 for the fiscal year 2021/2022; and

**BE IT FURTHER RESOLVED** that the Final Budget as set forth in Exhibit "A" attached hereto and incorporated by this reference is hereby approved and adopted for the fiscal year 2021/2022.

**WE, THE UNDERSIGNED**, being duly qualified and acting President and Secretary of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1, do hereby certify that the above and foregoing Resolution was duly and regularly adopted and passed by the Board of Trustees of said District at a Special Meeting held on the 14<sup>th</sup> day of June 2021, by the following roll call vote:

**AYES**, in favor thereof, Trustees:

**NOES**, Trustees:

**ABSENT**, Trustees:

\_\_\_\_\_  
Jeff Clay, President

**ATTEST:**

\_\_\_\_\_  
Mary Martone, Secretary to the Board of Trustees

---

**Paeter Garcia**

---

**From:** Ryan Drake <rdrake@goletawater.com>  
**Sent:** Wednesday, June 2, 2021 12:50 PM  
**To:** Young, Matthew; Fayram, Tom; DStroup@usbr.gov; Janet Gingras; Joel Degner; John McInnes; David Matson; Joshua Haggmark; Catherine Taylor; Nick Turner (Nturner@montecitowater.com); bob@cvwd.net; Paeter Garcia; kwalsh@syrwcd.com  
**Subject:** Agenda for June 9, 2021 Cachuma Allocation Meeting  
**Attachments:** Cachuma Allocation Meeting Agenda.docx

Mr. Young,

Ahead of the scheduled meeting on June 9<sup>th</sup> to discuss Cachuma water allocation, please find the attached agenda jointly prepared by the Cachuma Member Units. The Cachuma Member Units, along with staff from the Cachuma Operation and Maintenance Board, will be prepared to present on current lake levels, water accounting, and available supply projections, and the latest information in support of the Cachuma Member Units' allocation request for Water Year 2021-22. Please note the remote call information is consistent with the calendar invite information previously distributed. We look forward to the discussion with USBR and the County Water Agency.

Thank you,

Ryan

Ryan C. Drake  
Water Supply and Conservation Manager

---

Goleta Water District  
4699 Hollister Avenue  
Goleta, CA 93110  
p: 805-879-4627

# **Cachuma Allocation Meeting**

**Wednesday, June 9, 2021**

**10:00 A.M.– 11:00 A.M.**

**JOIN ZOOM MEETING**

**[HTTPS://US02WEB.ZOOM.US/J/87815096045?PWD=OEJZcHdNTURBdjdQI9xN2N6VMEWQT09](https://us02web.zoom.us/j/87815096045?pwd=OEJZcHdNTURBdjdQI9xN2N6VMEWQT09)**

**MEETING ID: 878 1509 6045**

**PASSCODE: 637390**

**ONE TAP MOBILE**

**+16699006833,,87815096045#,,,,\*637390# US (SAN JOSE)**

**+14086380968,,87815096045#,,,,\*637390# US (SAN JOSE)**

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## **1. Master Contract Water Allocation Process**

Review Master Contract language on annual water allocation and definitions of available supply.

## **2. Summary of Current Lake Accounting**

Discussion of current lake levels and status of various accounts (ANA/BNA, stored water, minimum pool, fish accounts).

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## **3. Modeling of Projected Lake Levels and Unallocated Water Available**

Discuss lake modeling work with COMB and results based upon inputs and outputs, evaporative losses, fish releases, downstream releases, and projected stored water.

## **4. Member Unit Allocation Request for WY 21-22**

Discuss Member Unit joint letter requesting full available supply for WY 21-22.

## **5. Long-Term Master Contract Negotiation**

Discuss process for negotiation and status, and MU Yield study underway to inform the process.



## Paeter Garcia

---

**From:** Young, Matthew <mcyoung@cosbpw.net>  
**Sent:** Tuesday, June 8, 2021 7:06 AM  
**To:** Ryan Drake; Fayram, Tom; DStroup@usbr.gov; Janet Gingras; Joel Degner; John McInnes; David Matson; Joshua Haggmark; Catherine Taylor; Nick Turner (Nturner@montecitowater.com); bob@cvwd.net; Paeter Garcia; kwalsh@syrwcd.com  
**Subject:** Re: Agenda for June 9, 2021 Cachuma Allocation Meeting  
**Attachments:** Cachuma Allocation Meeting Agenda.docx

Mr. Drake,

Thank you for sending this suggestion. We'd like to keep this meeting focused on the WY2022 allocation, but are happy to have further meetings regarding the long term Cachuma contract at another time. Attached please find the agenda for Wednesday's meeting. We are looking forward to a productive conversation.

Thanks,  
Matt

**Matt Young**  
Santa Barbara County Water Agency Manager  
130 E. Victoria St., Suite 200  
Santa Barbara, CA 93101  
(805) 568-3546  
[Water Agency Website: WaterWiseSB.org](http://WaterAgencyWebsite: WaterWiseSB.org)

---

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**Sent:** Wednesday, June 2, 2021 12:50 PM  
**To:** Young, Matthew; Fayram, Tom; DStroup@usbr.gov; Janet Gingras; Joel Degner; John McInnes; David Matson; Joshua Haggmark; Catherine Taylor; Nick Turner (Nturner@montecitowater.com); bob@cvwd.net; Paeter Garcia (pgarcia@syrwd.org); kwalsh@syrwcd.com  
**Subject:** Agenda for June 9, 2021 Cachuma Allocation Meeting

**Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.**

Mr. Young,

Ahead of the scheduled meeting on June 9<sup>th</sup> to discuss Cachuma water allocation, please find the attached agenda jointly prepared by the Cachuma Member Units. The Cachuma Member Units, along with staff from the Cachuma Operation and Maintenance Board, will be prepared to present on current lake levels, water accounting, and available supply projections, and the latest information in support of the Cachuma Member Units' allocation request for Water Year 2021-22. Please note the remote call information is consistent with the calendar invite information previously distributed. We look forward to the discussion with USBR and the County Water Agency.

Thank you,

Ryan

Ryan C. Drake  
Water Supply and Conservation Manager

---

Goleta Water District

# **Cachuma WY 2022 Allocation Meeting**

**Wednesday, June 9, 2021**

**10:00 A.M. – 11:00 A.M.**

**Zoom Meeting**

<https://us02web.zoom.us/j/87815096045?pwd=OEJZcHdNTURBeDJDQi9xN2N6VmEwQT09>

**Meeting ID: 878 1509 6045**

**Passcode: 637390**

**One tap mobile**

**+16699006833,,87815096045#,,,,\*637390# US (San Jose)**

**+14086380968,,87815096045#,,,,\*637390# US (San Jose)**

- 
- 1. Introductions**
  - 2. Review of Current Lake Accounting**
  - 3. Review of Water Availability Projections**
  - 4. Allocation Discussion / Request**
- 
- 5. Reclamation Decision Process / Next Steps**

## Paeter Garcia

---

**From:** Ryan Drake <rdrake@goletawater.com>  
**Sent:** Tuesday, June 8, 2021 2:43 PM  
**To:** Young, Matthew; Fayram, Tom; David Matson; Joshua Haggmark; Catherine Taylor; Nick Turner (Nturner@montecitowater.com); bob@cvwd.net; Paeter Garcia  
**Subject:** RE: Agenda for June 9, 2021 Cachuma Allocation Meeting

Mr. Young,

I write to confirm receipt of the County Water Agency's revisions to the Member Units' agenda, and communicate the Goleta Water District's expectation that the County Water Agency will fulfill its contractual obligations under the March 12, 1996 Member Unit Contract with the Goleta Water District (as amended September 24, 2020). Specifically, as required by section 17, "The Water Agency shall cooperate fully with Member Units to defend and enforce Member Unit's rights and benefits under this Master Contract."

Sincerely,

Ryan

**Ryan C. Drake**  
Water Supply and Conservation Manager

---

Goleta Water District  
4699 Hollister Avenue  
Goleta, CA 93110  
p: 805-879-4627

**From:** Young, Matthew <mcyoung@cosbpw.net>  
**Sent:** Tuesday, June 08, 2021 7:09 AM  
**To:** Ryan Drake <rdrake@goletawater.com>; Fayram, Tom <Tfayram@cosbpw.net>; DStroup@usbr.gov; Janet Gingras <jgingras@cachuma-board.org>; Joel Degner <jdegner@cachuma-board.org>; John McInnes <JMInnes@goletawater.com>; David Matson <DMatson@goletawater.com>; Joshua Haggmark <JHaggmark@SantaBarbaraCA.gov>; Catherine Taylor <CTaylor@SantaBarbaraCA.gov>; Nick Turner (Nturner@montecitowater.com) <Nturner@montecitowater.com>; bob@cvwd.net; Paeter Garcia (pgarcia@syrwd.org) <pgarcia@syrwd.org>; kwalsh@syrwcd.com  
**Subject:** Re: Agenda for June 9, 2021 Cachuma Allocation Meeting

Apologies, attached please find the correct revised agenda for tomorrow's meeting.

**Matt Young**  
Santa Barbara County Water Agency Manager  
130 E. Victoria St., Suite 200  
Santa Barbara, CA 93101  
(805) 568-3546  
Water Agency Website: [WaterWiseSB.org](http://WaterWiseSB.org)

---

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**Sent:** Tuesday, June 8, 2021 7:06 AM  
**To:** Ryan Drake; Fayram, Tom; DStroup@usbr.gov; Janet Gingras; Joel Degner; John McInnes; David Matson; Joshua Haggmark; Catherine Taylor; Nick Turner (Nturner@montecitowater.com); bob@cvwd.net; Paeter Garcia (pgarcia@syrwd.org); kwalsh@syrwcd.com  
**Subject:** Re: Agenda for June 9, 2021 Cachuma Allocation Meeting

Mr. Drake,

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Thanks,  
Matt

**Matt Young**

Santa Barbara County Water Agency Manager  
130 E. Victoria St., Suite 200  
Santa Barbara, CA 93101  
(805) 568-3546  
Water Agency Website: [WaterWiseSB.org](http://WaterWiseSB.org)

---

**From:** Ryan Drake <[rdrake@goletawater.com](mailto:rdrake@goletawater.com)>

**Sent:** Wednesday, June 2, 2021 12:50 PM

**To:** Young, Matthew; Fayram, Tom; [DStroup@usbr.gov](mailto:DStroup@usbr.gov); Janet Gingras; Joel Degner; John McInnes; David Matson; Joshua Haggmark; Catherine Taylor; Nick Turner ([Nturner@montecitowater.com](mailto:Nturner@montecitowater.com)); [bob@cvwd.net](mailto:bob@cvwd.net); Paeter Garcia ([pgarcia@syrwd.org](mailto:pgarcia@syrwd.org)); [kwash@syrwcd.com](mailto:kwash@syrwcd.com)

**Subject:** Agenda for June 9, 2021 Cachuma Allocation Meeting

**Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.**

Mr. Young,

---

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Thank you,

Ryan

Ryan C. Drake  
Water Supply and Conservation Manager

---

Goleta Water District  
4699 Hollister Avenue  
Goleta, CA 93110  
p: 805-879-4627

**NOTICE AND AGENDA OF MEETING**

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

**REGULAR MEETING WILL BE HELD  
AT 6:30 P.M. THURSDAY, MAY 27, 2021**

**TELECONFERENCE MEETING ONLY – NO PHYSICAL MEETING LOCATION  
PUBLIC PARTICIPATION DIAL-IN NUMBER: 1-267-866-0999  
MEETING ID / PASSCODE: 8092 56 2646**

**Public participants can view presentation materials and live video on their device**

**Website: [app.chime.aws](http://app.chime.aws) (or download *Amazon Chime* app),**

**“Join a meeting without an account”**

**Meeting ID: 8092 56 2646**

*You do NOT need to create an Amazon Chime account or login with email for meeting participation.*

**Public participant phones and microphones will be muted, and webcams disabled.**

**Live Chat Text (online users only) will be enabled for questions.**

*If your device does not have a microphone or speakers, you can also call Phone Number & log in with Meeting ID listed above to listen while viewing the live presentation online.*

**Teleconference Meeting During Coronavirus (COVID-19) Emergency:** As a result of the COVID-19 emergency and Governor Newsom’s Executive Orders to protect public health by issuing shelter-in-home standards, limiting public gatherings, and requiring social distancing, this meeting will occur solely via teleconference as authorized by and in furtherance of Executive Order Nos. N-29-20 and N-33-20. **Virtual meeting is in accordance with the latest SB County Health Office Order**

**Important Notice Regarding Public Participation in 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 dial-in number and passcode above. Those wishing to submit written comments instead, please submit any and all comments and materials to the GSA via electronic mail at [bbuelow@syrwcd.com](mailto:bbuelow@syrwcd.com). All submittals of written comments must be received by the GSA no later than 5:00 p.m. on Wednesday, May 26, 2021, and should indicate “**May 27, 2021 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.

**In the interest of clear reception and efficient administration of the meeting, all persons participating in this teleconference are respectfully requested to mute their phones after dialing-in and at all times unless speaking.**

**AGENDA ON NEXT PAGE**

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

THURSDAY, MAY 27, 2021, 6:30 P.M.

AGENDA OF REGULAR MEETING

- I. Call to Order and Roll Call
- II. Introductions and review of SGMA in the Santa Ynez River Valley Basin
- III. Additions or Deletions to the Agenda
- IV. Public Comment (Any member of the public may address the Committee relating to any non-agenda matter within the Committee's jurisdiction. The total time for all public participation shall not exceed fifteen minutes and the time allotted for each individual shall not exceed five minutes. No action will be taken by the Committee at this meeting on any public item.)
- V. Review and consider approval of meeting minutes of February 25, March 25, April 15, April 29, and May 13, 2021
- VI. Receive EMA GSA Financial update and consider approval of EMA Warrant List
- VII. Receive report from the EMA Citizens Advisory Group on the Draft Water Budget for EMA

---

- VIII. Receive presentation from GSI on the "Management Actions and Projects"
- IX. Next "Special" EMA GSA Meeting: **Thursday, June 24, 2021, 6:30 PM**
- X. Next "Regular" EMA GSA Meeting: **Thursday, August 26, 2021, 6:30 PM**
- XI. EMA GSA Committee requests and comments
- XII. Adjournment

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

# Management Actions and Projects

Santa Ynez Basin - EMA

May 27, 2021

Presented by  
Jeff Barry

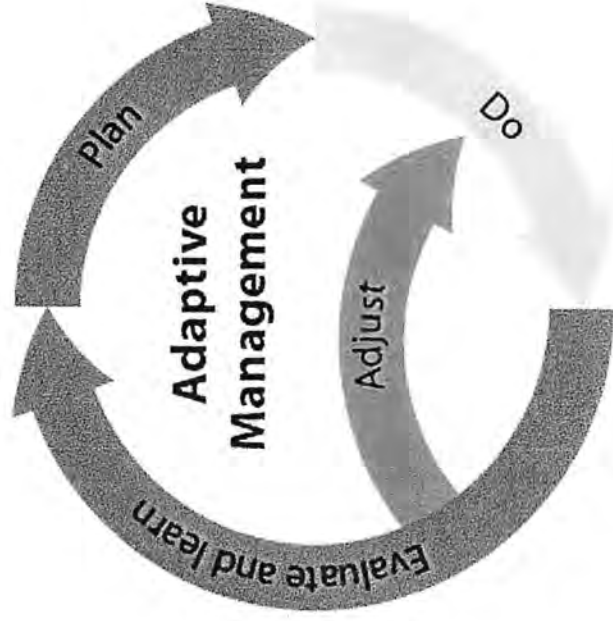


# Topics of Discussion

- Management Actions if Minimum Thresholds Exceeded
  - Initial Management Actions During GSP Implementation
  - More Intensive Management Actions if Needed
- Brainstorm Potential Management Actions and Projects



# Actions if Minimum Thresholds Exceeded



## Actions if Minimum Thresholds are Reached

- The cause will be evaluated
  - Pumping vs drought?
  - Are undesirable results occurring and why?
- If the cause is due to groundwater extraction and/or the trend indicates that undesirable results are occurring, then management actions would be called upon
  - Recall that undesirable results are defined by exceeding minimum thresholds for a certain number of representative wells over a certain period of time.

## Drought and GSA Response

- The relative effect of drought vs. pumping on water levels may be complex.
- If water levels fall below MTs, an evaluation is performed
  - If water level decline during drought is expected to reverse before undesirable results are reached, the GSA may defer implementing management actions and reevaluate later.
  - If the downward trend toward undesirable results continues then management actions would be implemented.

## Actions if Minimum Thresholds are Reached

- Significant and unreasonable:
  - Chronic Lowering of Groundwater Levels and Chronic Reduction in Storage
  - Degraded Water Quality
  - Subsidence
  - Depletion of Interconnected Surface Water

# Actions if Minimum Thresholds are Reached

## Chronic Lowering of Groundwater Levels and Chronic Reduction in Storage

### Sustainability Criteria

- Undesirable Result
  - Water levels fall below MTs after average and above average rainfall periods in 50% of representative wells over two consecutive years
  - Significant number of wells unable to produce usual historical quantities of water
  - Groundwater in storage continues to decrease over multiple years in the future
- Minimum Threshold
  - Paso Formation Wells: 15 feet below Spring 2018 water levels in representative wells
  - Careaga Sand Wells: 12 feet below Spring 2018 water levels in representative wells

### Evaluation

- Evaluate cause and trends
- Consult with basin stakeholders on remedies
- If undesirable results are anticipated and are a result of pumping, then management actions taken

# Actions if Minimum Thresholds are Reached

## Degraded Water Quality Due to Pumping (not expected to be a concern)

### Sustainability Criteria

- Undesirable Result
  - Concentrations of regulated contaminants in municipal, private domestic, or agricultural wells exceed regulatory thresholds caused by pumping or GSA actions.
  - Groundwater pumping causes concentrations of salts and nutrients to exceed Basin Plan Water Quality Objectives.
- Minimum Threshold
  - No minimum threshold set for regulated contaminants – State is responsible for management.
  - For salts and nutrients, Water Quality Objectives in Basin Plan exceeded in three consecutive monitoring events in more than 50 percent of wells or is greater than concentrations present when SGMA was enacted (January 2015).

### Evaluation

- Evaluate cause and trends
- Consult with regulatory agencies if drinking water is being impacted

# Actions if Minimum Thresholds are Reached

## Subsidence Due to Pumping (not expected to be a concern)

### Sustainability Criteria

- Undesirable Result
  - Significant and unreasonable subsidence caused by groundwater extraction and
  - Causes damage to structures and infrastructure and substantially interferes with surface land uses.
- Minimum Threshold
  - Rate of subsidence exceeds 1.0 inch per year measured at the InSAR and fixed elevation monitoring stations located in the EMA, caused by EMA groundwater pumping and results in damage to surface land uses.

### Evaluation

- Evaluate cause and trend
- Water level SMC avoids subsidence
- If undesirable results are observed and a result of pumping, then management actions taken

# Actions if Minimum Thresholds are Reached

## Depletion of Interconnected Surface Water

### Sustainability Criteria

- Undesirable Result
  - Category A GDEs present in tributaries are significantly and unreasonably impacted as a result of groundwater pumping when groundwater levels drop below the maximum rooting depth for three consecutive quarters
- Minimum Threshold
  - Observed groundwater level >15ft. below streambed measured in a dedicated piezometer within a Category A GDE tributary area

### Evaluation

- Evaluate cause and trends
- Assess if significant and unreasonable adverse impacts to GDEs can be observed
- Consult with basin stakeholders on remedies
- If undesirable results are observed and are a result of pumping, then management actions taken



# Potential Management Actions and Projects

## Objectives:

- **Maintain viable economy while addressing storage deficit and avoiding undesirable results within the next 20 years**
- **Avoid depletions of interconnected surface waters that have significant and unreasonable adverse impacts to beneficial uses of surface water and associated GDEs**
- **Start with initial management actions right away that reduce likelihood for undesirable results after submittal of the GSP**
- **Plan for more intensive actions if minimum thresholds are reached and undesirable results are observed based on established criteria**

# Potential Management Actions and Projects

Process:

1. Develop list of management actions and projects
2. Quantify benefits to EMA (AF), costs (per AF), reliability, permitability, time to implement
3. Select subset of preferred management actions and projects and prioritize them with stakeholder input
4. Develop implementation plan and schedule

# Potential Management Actions

## Initial Management Actions During GSP Implementation

1. Address data gaps in priority areas
2. Metering program to improve estimates of actual water use
3. Promote water efficiency program
4. SGMA well registration program

## More Intensive Management Actions if Needed

1. Demand management program
2. Groundwater credit program

# Potential Management Actions

## Initial Actions during GSP implementation

1. Address data gaps in priority areas
  - Identify existing wells or install new wells that can be included in monitoring program in NW area of EMA \*
  - Perform video surveys in representative wells to confirm well construction \*
  - Install automated water level monitoring (pressure transducers) in selected representative wells
  - Install shallow piezometers in Alamo Pintado and Zanja de Cota Creek GDE area \*
  - Review/update water use factors and crop acreages – update water budget
2. Metering program to improve estimates of actual water use
  - Identify funding (SB County)
  - Create incentives to install meters in all wells (GSA consider making mandatory)
  - Workshop and/or mailer to promote with landowners
  - Develop plan for installation, reporting, calibration

\* Funding available through DWR

# Potential Management Actions

## Initial Actions during GSP implementation

### 3. Promote Water Efficiency Program

- Work with RCD to perform Irrigation Audits and provide technical support for optimizing water use (NRCS funded)
- Promote use of automated irrigation and soil moisture monitoring equipment
- Develop weather station and automated data for landowners using frost protection
- Promote non-water intensive methods for frost protection
- Promote use of soil amendments (organic compost) to improve health of soils, plant health, and reduce water use
- Municipal providers continue to promote water conservation for residents and businesses

# Potential Management Actions

## Initial Actions during GSP implementation

### 4. SGMA Well registration program

- Where is pumping and how much?
- What is baseline condition of wells so that depletion of supply can be identified?
- Coordination between GSA, SYRWCD, and County DHS and Planning
- Notification of new well permits

# Potential Management Actions

## More Intensive Actions if needed

5. Develop demand management program

### Primary Actions:

- ✓ Start with low hanging fruit with least economic impact
- ✓ Pumping fee to pay for GSP implementation
- ✓ Promote voluntary / temporary fallowing
- ✓ Implement projects (discussed later)

### Secondary Actions (if minimum thresholds reached):

- ✓ Restrictions on pumping from newly installed wells
- ✓ Pumping reduction program if levels exceed minimum thresholds in specified number of representative wells over specified duration, considering climatic cycles, and undesirable results are observed after implementing other management actions
- ✓ Develop water credit program under GSA management

# Potential Projects

1. Stormwater capture and recharge
  - Flood recharge vs. off channel infiltration basins vs. off stream storage
  - Where and how much water?
  - Permitting?
  - Cost?
2. Recycled water programs and indirect potable reuse
3. Precipitation enhancement
  - Partner with Santa Barbara County
4. Conjunctive use - Managed Aquifer Recharge (MAR) using imported water
  - Unused or surplus supply – available during wet years
  - Aquifer Storage and Recovery (ASR) using treated, infiltration basins using untreated
  - In-lieu recharge – deliver stored water rather than pumping groundwater



# Next Steps

Deliverable/Meeting	Release Date
Draft Sustainable Management Criteria Section	June 4, 2021
Draft Monitoring Section	June 11, 2021
Draft Management Actions and Projects	June 17, 2021
GSA meeting to discuss projects and management actions	June 24, 2021
Administrative Draft GSP	July 2, 2021
Public Draft GSP	August 2, 2021
Public Comment Period Begins	August 2, 2021
GSA Meeting to discuss draft GSP	August 26, 2021
Public Comment Period Ends	September 17, 2021
Final Draft GSP	October 29, 2021
GSA Committee Adopt GSP	December 2, 2021
Submit GSP to DWR on or before	January 14, 2022

Thank you!

Jeff Barry

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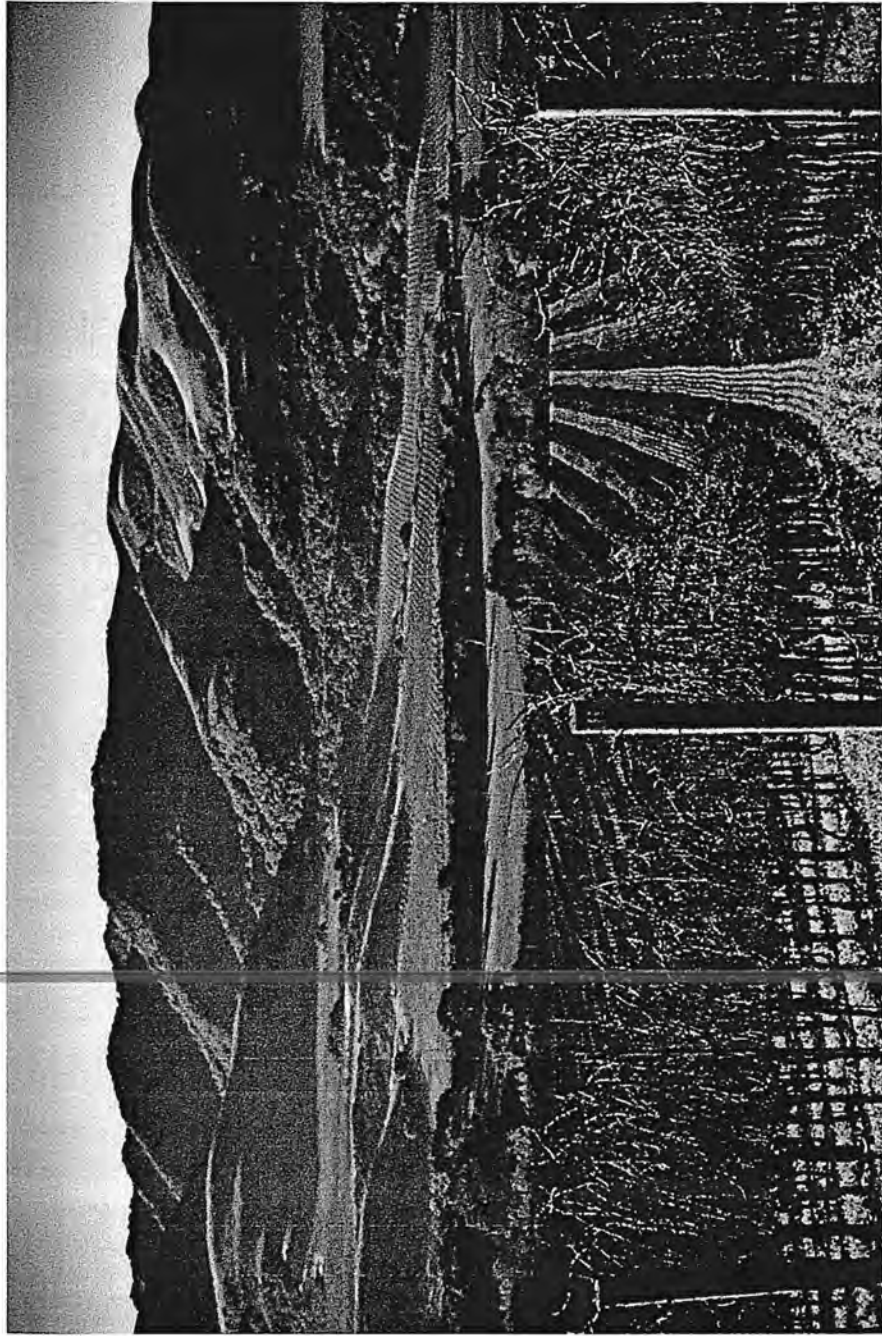


Photo Credit: Jeremy Ball, Courtesy of Longoria Wines

# Monthly Briefing

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

## Drought Tightens its Grip on the West Alliance Engages in Congressional Drought Forums

With drought conditions worsening with every passing week throughout the Western U.S., Congress is taking notice. The House Water, Oceans and Wildlife Subcommittee last month hosted an oversight hearing on the status of the drought in the West, one week after Western GOP representatives conducted their own forum on the drought. The Family Farm Alliance was engaged in both events.

### Western Drought Status

This water year is shaping up to be one of the worst in recent Western history. Most basin snow water equivalent (SWE) percentiles across the Western Region are well below-normal for the period of record, especially in the Four Corners region. Only parts of the Pacific Northwest and areas of central Montana experienced near and above-normal seasonal snowfall.

There are widespread reports of low soil moisture condi-

tions and groundwater depletion for many areas of the West. Above-normal temperatures over much of the West in recent weeks to months has resulted in rapid snowmelt and, due to

dry topsoils, much of the snowmelt water has not made it into the rivers, lakes, and reservoirs.

In a May 6 report, Jordan Clayton, supervisor of the U.S. Natural Resources Conservation Service's Utah Snow Survey, said that a significant amount of Utah's snowpack won't make it to downstream reservoirs.

"Water managers should prepare for exceptionally poor to (potentially) worst-on-record water supply conditions for this summer, depending on which region of the state they manage," Mr. Clayton said. "Furthermore, soil temperature conditions are quite high in many locations across the state – including several that are record highs – which underscores the

potential for a severe fire season in addition to other natural



*A drought-induced dust storm carries off topsoil from the Lower Klamath National Wildlife Refuge and adjacent Klamath Irrigation Project farmland in California, April 2021. Photo courtesy of Ducks Unlimited.*

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## Western Drought (Cont'd from Pg. 1)

resource concerns.”

In the Dakotas, where long-term moderate to exceptional drought is entrenched, recent heavy rainfall, although beneficial, was mostly immediately absorbed by the severely dry soils, with no runoff into empty dugouts or ponds. Currently, very little vegetative matter is available for grazing, despite some isolated areas of green-up from recent rainfall, according to the U.S. Drought Monitor.

In California, average stream flows across the coastal ranges around and north of the Bay Area, and extending eastward into the Sacramento River Basin, are rapidly declining. Soil moisture ranks below the 1st percentile, groundwater is severely depleted, and vegetation is under severe stress.

### Impacts to Agriculture

There have been many factors over the years that make it increasingly difficult to continue farming and ranching. Severe drought is one of the largest issues Western producers face.

Irrigated farms in the federal Klamath Project face the worst year in the Project’s 116-year history, with essentially no water from the Klamath River system.

“This year’s drought conditions are bringing unprecedented hardship to the communities of the Klamath Basin. We have closely monitored the water conditions in the area and the unfortunate deterioration of the forecasted hydrology. This has resulted in the historic consequence of not being able to operate a majority of the Klamath Project this year,” said Reclamation Deputy Commissioner Camille Calimlim Touton. “Reclamation is dedicated to working with our water users, tribes, and partners to get through this difficult year and developing long-term solutions for the basin.”

The federal Central Valley Project in California will receive almost zero supply. The Colorado River Basin is in its 21<sup>st</sup> year of drought and its reservoirs will end up at their lowest levels since they were initially filled. Watersheds in the American Southwest are parched, and wildfires are predicted to be at record levels this season.

According to the California Farm Bureau Federation, rice farmers are planting fewer acres this year. Analysts say the state’s rice acreage will likely be down 20% from average because of water restrictions, driving up the price.

Alfalfa production will also likely shrink this year.

“Drought has been a huge contributor to the decline in alfalfa acreage,” Daniel Putnam, Extension agronomist and forage specialist at the University of California, Davis, told

*Capital Press*. “Water uncertainty, labor and economics, I think, have driven the shift to different crops.”

Stock ponds are running dry and farmers have been forced to haul water in several locations.

Additionally, reports of reduced pasture forage, livestock requiring supplemental feed and/or being sold off are increasing.

“The worsening drought made it impossible for us to grow a wheat crop, causing major disruption on our operation,” said Ross Copeland, a Texas rancher at a recent Congressional drought forum. “Due to this, we have been forced to buy feed for cattle and even sell some of our herd to make ends meet.”

Gary Hess, who runs cattle on irrigated pasture in Washington’s Columbia River Basin, recently told Northwest News Network about his drought challenges. With grass supplies dwindling, he recently sold 70 mother cows with calves to another operator in Wyoming. Mr. Hess believes he may have to sell more soon just to survive. He figures it could take him up to a decade

to build his herd back up without going into debt.

“When you have to sell younger cows, that’s a disappointment,” Hess says. “But that’s something you have to do with the kind of weather we’ve had the last couple of years. And the drought and the lack of feed and lack of water, we just finally had to cut back.”

### Wildfire Impacts

With much of West seeing drought conditions worsen, fire experts are predicting an above average wildfire potential to continue to expand northward into the Great Basin, Rocky Mountains, and Pacific Northwest throughout the year.

In 2020, more than 10.3 million acres burned in the United States – a record year and more than 50 percent above the 10-year average for acres burned. From August through October, the most extreme conditions caused thousands of evacuations, homes and structures lost, and tragic fatalities of 11 people in Oregon and 34 people in California.

Secretary of the Interior Deb Haaland and Secretary of Agriculture Tom Vilsack last month shared their vision for the Biden-Harris administration’s wildland fire preparedness and response, including supporting science and research into the effects of climate change on wildland fire. They outlined their



*With grass supplies dwindling, Washington rancher Gary Hess—pictured here, with his dog, Buddy—recently sold 70 mother cows with calves to another operator in Wyoming.*  
Photo source: Anna King / NW News Network

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## Natural Infrastructure Hearing (Cont'd from Pg. 2)

goals for wildland fire management in a joint memo to wildland fire leadership. The two Secretaries received a virtual operational briefing in early May from wildland fire experts at the National Interagency Fire Center in Boise, Idaho, about the formidable challenges that lie ahead.

"We used to call it fire season, but wildland fires now extend throughout the entire year, burning hotter and growing more catastrophic in drier conditions due to climate change," said Secretary Vilsack. "USDA will increase the resiliency of communities at risk for wildfire with more effective land management decisions and partnerships with local communities and Tribal Nations to address climate adaptation, conservation, and ecological resilience."

The Biden-Harris administration in April previously announced the formation of an Interagency Working Group to address worsening drought conditions in the West and support farmers, Tribes, and communities impacted by ongoing water shortages.

### House WOW Subcommittee Hearing on Western Drought

With drought conditions worsening across the West, the Family Farm Alliance was asked to testify for the second time this year before the House Natural Resources Subcommittee on Water, Oceans and Wildlife (WOW). The May 25 hearing, titled, "Oversight: The Status of Drought Conditions Throughout the Western United States" focused on the role of climate change in the worsening drought, as well as near- and long-term solutions.

Subcommittee Ranking Member Cliff Bentz (R-OREGON) acknowledged the urgency of finding solutions.

"The allocation of water to in-stream flows will pit tribe against tribe, fish against fish, fish against agriculture, communities against communities", he said.

Subcommittee Chairman Jared Huffman (D-CALIFORNIA) shared the Ranking Member's observations about the urgency challenges generated by the drought.

"We cannot keep lurching from one crisis to the next, and it's become abundantly clear that we must build resilient systems that work for everyone," said Chairman Huffman.

Rep. Huffman last month reintroduced his "Future Western Water Infrastructure and Drought Resiliency Act," H.R. 3404. The bill includes more than \$1 billion for various water projects, including \$750 million for multi-benefit water storage projects, \$500 million for water recycling and reuse, and \$260 million for water desalinization projects. It also contains provisions to boost water technology and data collection, as

well as ecosystem protection and restoration.

Alliance executive director Dan Keppen's written testimony addressed both the macro-consequences of drought while also homing in on seven specific Western regions and the challenges faced in each.

"It is clear that water users in nearly every region of the West are scrambling, looking for creative ways to stretch scant water supplies," Mr. Keppen said.

In written testimony, the Alliance put forward solutions to prevent future drought. Water infrastructure investment is needed, the Alliance argued, in addition to allowing increased flexibility for water management by locality. The testimony

advocated for improved forest management to promote the health of the watershed. It also emphasized that collaboration across interest groups is needed over confrontation.

Mr. Keppen also focused part of his testimony on the crisis evolving in the Klamath Basin, where farmers and ranchers served by the Klamath Project "A" Canal will be going without stored water this year for

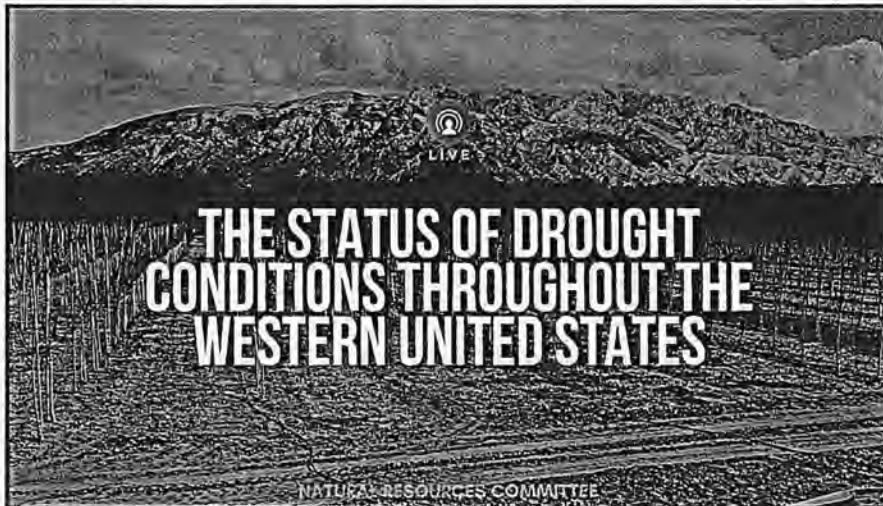
the first time, in a project where that water was originally developed for irrigation. Now, that water has been reallocated for three species of fish protected by the Endangered Species Act.

"This current single-species focus is not fair, and it's not worked for farms, fish or waterfowl," Mr. Keppen testified. "For long-term stability, a basin-wide settlement agreement is needed that addresses water management for farmers and tribes, irrigation and fish. We can do better for farmers, tribes and fish in the Klamath Basin, and we need to do it now."

Amy Cordalis, a member of the Yurok Tribe and its legal counsel, had a different take, and said the current Klamath Project management regime puts the needs of agricultural diversions over the needs of fish and ecosystem. Any legislative drought relief package must include "equitable funding to help tribal commercial fishermen and their families survive the drought," she said.

In addition to Ms. Cordalis and Mr. Keppen, hearing witnesses included Elizabeth Klein (senior counselor to the Interior secretary), Craig McLean (NOAA acting chief scientist), Joaquin Esquivel (California State Water Resources Control Board chair), John Entsminger (Southern Nevada Water Authority general manager), Michael Markus (Orange County Water District general manager), Tom Collishaw (Self-Help Enterprises CEO), and Craig Foss (Idaho state forester).

"The past 20 years have convinced us that less and less



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Page 3

# Infrastructure Negotiations Continue in D.C.

The Biden administration is currently going back and forth with Senate Republicans over the size, scope and funding source of a potential infrastructure package. Senate GOP leaders delivered a revised offer to the White House on May 26, following several meetings and conversations.

The latest offer is substantially more than the \$568 billion infrastructure framework the group led by Sen. Shelley Moore Capito (R-W.Va.) introduced in April, but it's still far short of the latest \$1.7 trillion counteroffer that White House officials came back with.

The new GOP proposal, which was detailed in a memo sent to the White House, includes a \$91 billion increase over baseline spending for roads and bridges and a \$48 billion increase over baseline spending for water infrastructure and an additional \$6 billion for water storage in the West.

"We believe this counteroffer delivers on what President Biden told us in the Oval office that day and that is to try to reach somewhere near \$1 trillion over an eight year period that would include our baseline spending,"

said Sen. Shelley Moore Capito, the top Republican negotiator. "We have achieved that goal with this counteroffer."

In a statement, White House Press Secretary Jen Psaki said the increased funding level was "encouraging."

However, Senate Democrats were critical of the latest GOP counteroffer, suggesting that a bipartisan agreement remains elusive.

"It's just not particularly genuine," said Sen. Sherrod Brown (D-Ohio). "They refuse to go big."

Senator Ed Markey (D-Mass.) told reporters that "no meaningful climate action means no deal with the Democrats."

According to the Washington Post, a second group of Senators, including Senators Mitt Romney (R-UT), Rob Portman (R-OH) and Joe Manchin (D-WV), is working on a separate proposal. However, indications are that the bill is on the back burner as President Biden and Senator Capito talks remain at the forefront.

The Biden administration and Senate Republicans still differ on key issues, including the total cost, the definition of infrastructure, and how to pay for it.

In the waning days of May, the odds for compromise on infrastructure appeared to be dimming, even though GOP negotiators were holding out hope.

Transportation Secretary Pete Buttigieg on May 30 said the Biden administration is "getting pretty close to a fish-or-cut-bait moment", while Senator Capito affirmed that she thought Democrats and Republicans could still reach "real compromise" on the proposed spending plan.

Earlier in the week, Senate Majority Leader Chuck Schumer (D-NY) said Senate Democrats will move forward on an infrastructure bill in July whether a bipartisan agreement is reached or not.

"It has always been our plan, regardless of the vehicle, to work on an infrastructure plan in July—and that's our plan: To move forwards in July," he said.

## Senate Passes Drinking Water/Wastewater Bill

The Senate in early May passed the bipartisan *Drinking Water and Wastewater Infrastructure Act of 2021*. The bill more than \$35 billion for water resource development projects across the country with a focus on upgrading aging infrastructure. The bill, which now heads to the House, would authorize upgrades to drinking water and wastewater

systems through increased funding for EPA grant programs and the Clean and Drinking Water State Revolving Funds. The bill would also focus funding for projects in low-income, rural, tribal and minority communities that have historically been left behind.

"All of these things together help communities keep their water safe and clean," Senator Shelley Moore Capito, Ranking Member of the Senate Environment and Public Works (EPW) Committee, wrote in an op-ed for *The Parkersburg News and Sentinel*.

More than 40% of the funds authorized in the bill would go to disadvantaged communities, and the bill includes \$500 million for communities seeking to make their water systems more resilient to the impacts of climate change.

Meanwhile, House Transportation and Infrastructure Chair Peter DeFazio (D-OREGON) and Speaker Nancy Pelosi (D-CALIFORNIA) have indicated that they plan to pass an infrastructure bill out of the House before July 4.

While it is not clear what the scope of an infrastructure bill considered on the House Floor would be, it appears that the surface transportation and wastewater bills that Rep. DeFazio has indicated his committee will take up "very soon" are likely



President Joe Biden meets with Sen. Shelley Moore Capito at the White House. Photo source: Nicholas Kamm/AFP via Getty Images .

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**White House, Congress Move on Infrastructure (Cont'd from Pg 4)**

to serve as the base of a package.

**Progressives Introduce Infrastructure, Climate Legislation**

Progressives in Congress have introduced legislation to spend trillions of dollars on climate, clean water, and social justice projects. The *"THRIVE Act,"* which stands for "Transform, Heal and Renew by Investing in a Vibrant Economy," was introduced by Sen. Ed Markey (D-MA), Rep. Debbie Dingell (D-MI) and several other Democrats, to authorize \$1 trillion in new federal spending annually over 10-years for infrastructure, clean energy, agriculture, clean water, and child and elderly care work.

"Our country is facing four overlapping crises – mounting economic inequity, the climate crisis, racial injustice, and the coronavirus pandemic – and the THRIVE Act will ensure we have an intersectional response that is proportionate to the scope of the problems we face," said Senator Markey.

Half the funding would be focused on "impacted" and "disenfranchised" communities. Other co-sponsors include Sens. Elizabeth Warren (D-MA) and Bernie Sanders (I-VT) and Reps. Nanette Diaz Barragán (D-CALIFORNIA) and Earl Blumenauer (D-OREGON).

**WIFIA Legislation**

Congressman John Garamendi (D-CALIFORNIA) earlier this month introduced legislation (H.R. 2979) making low-interest federal financing available for reservoir and drought resiliency projects, with Congressman Dan Newhouse (R-WASHINGTON) as the original cosponsor.

"This bipartisan legislation would unlock nearly \$6 billion in low-interest federal financing for western water storage projects, including funds to build the off-stream Sites Reservoir in California's northern Sacramento Valley. We need all the federal and state resources we can get to meet California's future water supply," said Rep. Garamendi.

This bipartisan legislation (H.R. 2979) – supported by the Family Farm Alliance - would amend the Water Infrastructure Finance and Innovation Act (WIFIA) of 2014 to make public water projects like the off-stream Sites Reservoir Project eligible for low-interest, longer-term federal loans from the U.S. Environmental Protection Agency. Specifically, the bill would allow water projects with longer useful life spans to receive federal WIFIA financing for 55-year loan terms instead of the current 35-year loan terms, thereby lowering the capital costs for such projects.

"Federal water projects play a significant role in our way of life throughout Central Washington," said Rep. Newhouse (R-WASHINGTON). "This bill will help our local water managers and operators finance long-term projects, enabling us to ensure long-term success for all who rely on this infrastructure for clean water and irrigation in rural communities."

**Alliance Efforts**

Last fall before the election, a group of organizations – including Family Farm Alliance, Western Growers, California Farm Bureau, NWRA and Association of California Water Agencies – started planning for the possible eventuality that Joe Biden would win the presidency, and that Democrats might gain control of the House and the Senate. This was similar to the dynamic that existed in late 2008, when President Obama was elected, and Democrats in Congress helped push the big economic stimulus infrastructure package that was signed into law later that year.

It's often a challenge getting lawmakers to talk about water when infrastructure is teed up in Washington. When water infrastructure makes it to the front burner, policy makers are usually talking about drinking water, especially since the incident in Flint, Michigan.

"The goal of our coalition was to get 'our type of infrastructure' – Western water infrastructure needs like repairing aging water facilities and building new storage and conveyance facilities – included in the mix when infrastructure talks began in this new Congress," said Alliance Executive Director Dan Keppen.

Sure enough, the Democrats last January assumed control of the White House and both chambers of Congress.

"Our first task was to demonstrate to the new Administration and Congress that there was interest in the West for such an effort," said Dennis Nuxoll with Western Growers Association.

In January, the coalition submitted letters to President-elect Biden and leaders of Congress signed by over 200 Western ag,

urban and water organizations in support of an "all of the above" infrastructure package, including a suite of water supply enhancement and demand management actions.

"We've pulled several of these interests from a dozen

Western states and established advocacy and communications teams to reach out to Western Members of Congress, Congressional leadership, and the Administration," said California Farm Bureau's Erin Huston.

Now, the coalition is working with the state groups to meet with their Western Senate offices, using lists of potential projects in each state, developed by those groups. Much of this advocacy work took place in May, and was supported by state-driven media and public outreach efforts.

"It's still not clear which vehicle our issues will be hitched to in this Congress, and it's not clear whether infrastructure will be a bipartisan effort, although we continue to urge lawmakers to strive for bipartisanship," said Mr. Keppen. "For now, we have a pretty good team in place, and it'll really start clicking this month."

*"This bill will help our local water managers and operators finance long-term projects, enabling us to ensure long-term success for all who rely on this infrastructure for clean water and irrigation in rural communities."*

Rep. Newhouse (R-WASHINGTON) on H.R. 2979

# President Biden Releases FY 22 Budget Request

## Reclamation Budget Request at \$1.5 Billion

The Biden Administration on May 28 released the FY2022 budget request. Overall, President Biden’s approximately \$6 trillion FY 2022 budget proposal prioritizes climate change, clean energy and infrastructure investments.

“Put together, this budget is an agenda for robust, durable economic growth and broadly shared prosperity,” said Shalanda Young, President Biden’s acting White House budget director. “It will deliver a strong economy now and for decades into the future.”

### Reaction from Congress

Republicans balked at the President’s plan, which would see trillion-dollar deficits for a decade and increase the debt burden past its highest level on record.

“It’s very telling that the administration chose to roll out their budget more than three months behind schedule on a Friday before a holiday weekend, right when many people are traveling, spending time with family and not focusing on their inboxes,” said Rep. Bruce Westerman (R-Ark.), the Ranking Member of the House Committee on Natural Resources. “While this administration uses vague platitudes in an attempt to demonstrate a commitment to the environment, the facts don’t lie: these are policies that are bad for our economy, bad for conservation goals and bad for Americans.”

Progressives pushed back on criticism of President Biden’s budget plan.

“For too long, self-inflicted austerity has been mistaken for fiscal responsibility, to the detriment of American families and our nation’s economy,” House Budget Committee Chairman John Yarmuth (D-Ky.) said.

### Bureau of Reclamation Request

The Department of the Interior FY 2022 budget request for the Bureau of Reclamation is a total of \$1.5 billion, a decrease of \$137.1 million from the 2021 enacted level.

“Drought, climate change, and issues of equity and sustainability as well as the continuous need to secure and modernize our nation’s water infrastructure are challenges that Reclamation, partners, and stakeholders all face,” said Deputy Commissioner of Reclamation Camille Touton. Reclamation’s budget for 2022 will provide our team of dedicated professionals a solid operational baseline to develop innovative solutions and support adaptive management of limited resources.”

The FY 2022 request includes \$1.4 billion for the Water and Related Resources account, which funds operation, maintenance and rehabilitation projects, including dam safety at Reclamation facilities. The budget includes \$125.3 million for extraordinary maintenance across Reclamation; \$207.1 million for the Dam Safety Program; and \$92.8 million for rural water projects. The WaterSMART Program request was for \$54.06 million, a decrease from the FY 2022 enacted level of \$148.9 million.

The proposed budget also requests \$25.5 million for Yakima Basin Enhancement Project, a \$1.6 million decrease from the FY 2020 enacted level of \$27.15 million.

The Biden Administration is also proposing the American Jobs Plan legislation, which will include \$2.5 billion for the Bureau of Reclamation over five years – \$500 million annually beginning in FY 22.

The funding is directed to increase Western water resilience, invest in watershed protection and flood prevention, support agricultural resource management, improve irrigation for Tribes and insular areas, provide safe drinking water, invest in rural clean water infrastructure, and upgrade and modernize America’s drinking water, wastewater, and stormwater systems.

### USDA, Army Corps and EPA Budget Requests

The U.S. Department of Agriculture (USDA) is requesting a total of \$198.1 billion in 2022. Compared to FY 2021, this amount represents a decrease of almost \$17.4 billion.

“The President’s budget gives USDA a new set of tools to address the urgent challenges of our time—racial injustice, a changing climate, and hunger,” said Agriculture Secretary Tom Vilsack. “When we invest fairly and equitably in American families and communities, we lay the foundation for decades of American prosperity.”

The USDA budget, among other things would increase funding for climate smart agriculture, climate resilience and clean energy by nearly \$1.5 billion.

The request also provides \$4 billion for USDA’s research, education, and outreach programs focused on making investments in agricultural research to put science and data-driven tools and American technologies in the hands of farmers.

“Enacting the budget policies into law this year would strengthen our nation’s economy and lay the foundation for shared prosperity, while also improving our nation’s long-term fiscal health,” said Secretary Vilsack.

In addition, the budget request provides \$6.8 billion for the U.S. Army Corps of Engineers, \$1 billion less than the \$7.8 billion FY 2021 enacted amount.

The request also provides \$11.2 billion for the Environmental Protection Agency, an increase of \$2 billion above the \$9.2 billion FY 2021 enacted amount.

### Congress has the Final Say

Congress has the final say on spending, taxes and policy proposals, and approved appropriations legislation often differs from a president’s budget request.

“The President’s proposal is simply that — a proposal,” said Senate Appropriations Committee Vice Chairman Richard Shelby (R-Ala.) “In the forthcoming weeks, Congress will exercise its Constitutional power of the purse in crafting appropriations bills that, I hope, will appropriately prioritize our nation’s spending.”



## More Biden Appointees Announced *Senate Confirmation Hearings Proceed*

President Biden announced several picks for environmental and climate posts scattered throughout the government last month. Several of his nominees participated in confirmation hearings in recent weeks.

### Interior Department Secretary Chief of Staff

The White House on April 30<sup>th</sup> announced that Lawrence Roberts would be the new chief of staff for Interior Secretary Deb Haaland. Mr. Roberts is a citizen of the Oneida Nation in Wisconsin and a professor at Arizona State University's College of Law. He served in several American Indian affairs positions during the Obama administration and as general counsel of the National Indian Gaming Commission. The appointment does not require Senate confirmation.

"Interior's political team proudly reflects the diversity of America, with more than 50% identifying as BIPOC [Black, Indigenous and people of color] and 75% as women," the Interior Department noted in a statement.

### Interior Department Nominees Confirmation Hearings

Last month, the Senate Energy and Natural Resources Committee voted 18 to 1 to advance Tommy Beaudreau's nomination to be Deputy Secretary of the Interior. With only Sen. Mike Lee (R-UTAH) voting against the nomination, both Chairman Joe Manchin (D-WV) and Ranking Member John Barrasso (R-WYOMING) praised the nominee.

Mr. Beaudreau was nominated for Interior's No. 2 spot after the withdrawal of the White House's first intended nominee, lawyer Elizabeth Klein. Ms. Klein, who faced resistance from key Senate centrists, is now serving as senior counsel to the Interior Secretary. Mr. Beaudreau served as Chief of Staff to the Obama Administration's Secretary of the Interior Sally Jewell, as well as a stint as acting Assistant Secretary for Land and Minerals Management.

A full Senate vote on confirmation for Mr. Beaudreau has not been set.

As previously reported, President Biden last month nominated Interior's principal Deputy Solicitor, Mr. Robert Anderson, to the position of Solicitor for the Department, a post he has temporarily filled in the administration's first months. At his confirmation hearing last month, he was grilled by Ranking Member Barrasso over his "narrow focus" on tribal law.

"His actions in this role suggests that he may not fully appreciate the priorities and concerns of many other stakeholder groups in my home state of Wyoming and throughout our nation," said Senator Barrasso.

Two other Interior Department nominees had an easier time of it at the hearing: Shannon Estenez, who if confirmed would oversee the National Park Service and the Fish and Wildlife Service, and Tanya Trujillo, President Biden's nominee for Interior Department Assistant Secretary for Water and Science.

If confirmed, Tanya Trujillo would oversee the Bureau of Reclamation and the U.S.

Geological Survey. She is currently serving in that temporary capacity as principal deputy assistant secretary.

At her confirmation hearing, she told senators that she would provide "strong support for the department's scientists at the U.S. Geological Survey on their efforts to address climate change, and to advance the nation's research, assessment and prediction capabilities."

She added that she "will support the Bureau of Reclamation's important role as a water provider, and I will work closely with Reclamation, and other agencies, to ensure that hydro-power resources can continue to provide an important component of our nation's renewable energy portfolio."

Ms. Trujillo is a New Mexico native, and served as legislative aide to former Sen. Jeff Bingaman (D-NEW MEXICO). She has also served on the New Mexico Interstate Stream Commission and has led the Colorado River Sustainability Campaign, which coordinates and funds environmental advocacy. She is a Stanford University and University of Iowa College of Law graduate.

Few questions were posed to Ms. Trujillo on water, with



*Tanya Trujillo fields a question from Senator Mark Kelly (D-ARIZONA) at her Senate confirmation hearing last month. Photo source: Senate Committee on Energy and Natural Resources.*

*Continued on Page 8*

## More Biden Appointees Named (Cont'd from Page 7)

only Senators Barrasso and Kelly raising drought and water infrastructure topics.

At the hearing, she specifically complimented the Family Farm Alliance and said she will continue to consult with the Alliance on Western water matters.

Earlier in the month, the Alliance sent a letter to the ENR Committee expressing support for Ms. Trujillo's confirmation.

### Department of Agriculture

The White House in April announced that President Biden would nominate Robert Bonnie, who is currently Deputy Chief of Staff and leads the U.S. Department of Agriculture (USDA) efforts on climate change, to be undersecretary of Agriculture for farm production and conservation. Mr. Bonnie served as undersecretary for environment and conservation during the Obama Administration, and during the 4 years of the Trump Administration was vice president for land conservation at the Environmental Defense Fund. The Family Farm Alliance sent a formal letter of support for Mr. Bonnie's confirmation to the Senate Committee on Agriculture.

Meanwhile, the Senate Agriculture, Nutrition, and Forestry Committee last month advanced President Joe Biden's pick for deputy agriculture secretary.

The farm panel approved by voice vote the nomination of Jewel Bronaugh, who would be the first Black woman in the post if confirmed. Her nomination now heads to the full Senate for consideration.

Chair Debbie Stabenow (D-Mich.) called her "a highly qualified leader who has strong experience working on the ground to support our farmers, families, and rural communities" in an emailed statement.

Bronaugh most recently served as the nation's first Black female state agriculture commissioner, appointed to Virginia's Agriculture and Consumer Services Department in 2018.

She would succeed Stephen Censky, who served during the Trump administration.

"Dr. Bronaugh has shown to be a true leader in agriculture throughout her career in education and public service," said committee ranking member John Boozman (R-Ark.) in a statement. "Dr. Bronaugh is now just one step away from making history as the first African American woman to serve as deputy secretary at USDA. I encourage quick con-

firmation of her nomination to make that happen."

USDA earlier in the month announced the appointment of Meryl Harrell as Deputy Under Secretary for Natural Resources and Environment and the appointment of Terry Cosby as Chief of the Natural Resources Conservation Service (NRCS). They begin their positions last month.

During the Obama-Biden Administration, Ms. Harrell spent eight years in the Office of Natural Resources and Environment at USDA, including serving as Chief of Staff and then Senior Advisor to the Under Secretary. Ms. Harrell previously worked on public lands issues at The Wilderness Society in Washington, D.C. Terry Cosby began his career with USDA in 1979 as a student trainee in Iowa. Over Cosby's 42 years with the agency, he has served in numerous capacities, most recently, Acting Chief of NRCS and State Conservationist for Ohio.

"The leadership and expertise of Meryl and Terry will play an integral role in USDA's efforts to provide personnel, science, and technology that will lead to better-informed and more effective land management decisions; partnerships to address climate adaptation, conservation, and ecological resilience; and clean energy technology and infrastructure," said Agriculture Secretary Tom Vilsack. "We are fortunate to have them on our team."



*Radhika Fox, President Biden's nominee for EPA Assistant Administrator for the Office of Water, testifies at her confirmation hearing before the Senate Environment and Public Works Committee last month. Photo source: U.S. Senate TV.*

### Environmental Protection Agency

Last month, the Senate Environment and Public Works (EPW) Committee held a confirmation hearing for Environmental Protection Agency (EPA) chemicals nominee Michal Freedhoff and water office

nominee Radhika Fox.

"Water is the great uniter, it can unite this country, it can help pull us out of the compounding crises that face our nation, whether it's a global pandemic, economic recession, longstanding racial inequities and climate change," Ms. Fox told the Committee.

Questioning of the witnesses included significant discussion of Clean Water Act waters of the U.S. (WOTUS) rules.

While Ms. Fox remained vague about EPA's plan to rewrite the definition of WOTUS, Republican senators on the committee peppered her with questions about the Biden administration's plans and detailed problems with the 2015 rule, including being extremely burdensome to farmers. Arizona Sen. Mark Kelly was the only Democratic lawmaker to bring

Continued on Page 9

## More Biden Appointees Named *(Cont'd from Page 8)*

up WOTUS, saying the 2015 rule "did not work well for Arizona" and asking how they will address these types of issues.

Ms. Fox avoided specifics about what waterways might be covered with a new definition and pledged to "listen to stakeholders," including farmers. She went on to say that the Biden Administration doesn't "want to see this ping pong anymore" and explained that EPA staff had rewritten the rule three times in six years. Ms. Fox indicated that EPA will be conducting "regional roundtables" this summer to discuss its review of which waterways and wetlands qualify for federal protections.

The Alliance last month sent a formal letter in support of her confirmation to the EPW Committee.

David Ross, who was the Assistant Administrator for the Office of Water in the Trump Administration, and now a partner with a Washington-based law firm, said in a letter to leaders of the Senate EPW Committee that he supports President Biden's appointment of Ms. Fox.

"There will be times that I may disagree with her policy preferences and we may differ on our view of the legal authorities that govern the various water programs at EPA," he wrote. "And that is okay."

### Department of Commerce

Rick Spinrad, a professor of oceanography at Oregon State University, was picked by President Biden to lead the National Oceanic and Atmospheric Administration. He retired

in 2016 as chief scientist at NOAA and held similar science positions at the U.S. Navy.

### Army Corps of Engineers

President Biden last month announced plans to nominate Michael Connor to be the Assistant Secretary of the Army for Civil Works at the Department of Defense, a position overseeing the Corps of Engineers. Mr. Connor, a member of the Taos Pueblo tribe, served as the Obama Administration's Deputy Secretary of the Interior and Commissioner of the Bureau of Reclamation. He has a long history in government, working as counsel in the Senate Energy and Natural Resources Committee before joining the Obama Administration.

"He also forged major Indian water rights settlements and led the Department of the Interior's negotiations to complete two major binational agreements with Mexico on the Colorado River," the White House said in a press release.

The Family Farm Alliance has a long working relationship with Mr. Connor and send a letter of support for his confirmation to the Senate Environment and Public Works Committee.

"We were particularly pleased that Mr. Connor attended every Family Farm Alliance annual conference during his eight years with Reclamation and Interior," said Alliance President Pat O'Toole. "He also worked collaboratively with other stakeholder groups as well, where he applied the same balanced and pragmatic problem solving approach."

## Western Drought Hearing *(Continued from Page 3)*

Colorado River water will be available to distribute as temperatures continue to warm — that we must make do with less," said Mr. Entsminger, whose testimony emphasized the need for federal assistance to create large-scale projects to recycle and reuse water on the Colorado River.

### House Republicans Host Western Drought Forum

In the week prior to the WOW Subcommittee hearing, House Committee on Natural Resources Ranking Member Bruce Westerman (R-Ark.) and WOW Subcommittee Ranking Member Bentz led another forum on the catastrophic drought situation across the American West. Several GOP House Members who participated in the forum claim that weather may not be solely to blame for the unprecedented Western drought; federal and state policies also play a role.

"Droughts are nature's fault, they happen; water shortages, that's our fault," said Rep. Tom McClintock (R-CALIFORNIA). "They are a choice we made when we stopped building dams and reservoirs. ... We are not going to solve our water shortages until we build new facilities. We are a special kind of stupid."

Many others of those who testified at the forum pointed out that increased water storage can play a significant long-

term role in providing water for multi-parties.

"Our American way of life has been directly and positively related to the vision laid out by our western water engineering forefathers generations ago," said Ranking Member Westerman. "They designed and built projects to help end the cycle of devastating floods followed by crippling drought. Those projects that captured water in wet times to use later for dry times worked for decades to create prosperity and food abundance enjoyed nationwide, and the emissions-free hydro-power these projects generate helped us win World War II and created vibrant economies."

The Alliance provided written testimony for the forum, and several of the experts who testified (via ZOOM) had ties to the Family Farm Alliance, including Jason Phillips, chief executive officer of the Friant Water Authority in California, who also serves on the Alliance's Advisory Committee.

"The water shortages in this state are caused by policy decisions. The fact that the water year is dry and there is not a lot of water, that is weather," he said. "But the fact that hundreds of thousands of prime farmland this year are going to be left fallowed or ripped out of the state and the farm-based communities throughout will be left with little to no drinking water, that is caused by policy decisions."

# 30 x 30 Conservation Plan Framework Released

The Biden Administration last month unveiled their framework for the “30 x 30” conservation plan with the goal of setting aside 30% of the nation’s lands and waters by 2030. The 24-page report, which has been rebranded into a 10-year “America the Beautiful” campaign, emphasizes voluntary efforts by states, private landowners and tribal nations, leaving many details to be outlined later.

“This report calls on us, all of us — in partnership with states, tribes, private landowners — to build on the long tradition of land stewardship across American lands. The federal government will do that by looking for ways we can bolster locally led conservation,” said Agriculture Secretary Tom Vilsack, who spoke in a teleconference along with White House national climate adviser Gina McCarthy, Interior Secretary Deb Haaland, Commerce Secretary Gina Raimondo and Council on Environmental Quality Chair Brenda Mallory.

Biden Administration officials stressed that the program would rely on private conservation efforts, including easements on working lands like farms and ranches, as well as increased federal investments in open spaces and urban parks.

While the report did not provide an estimate of the total cost for the plan, Administration officials cited the *Great American Outdoors Act* enacted in the last Congress that fully funded the Land and Water Conservation Fund as a “down payment” on the plan.

President Biden issued an executive order earlier this year directing the Interior Department to propose guidelines for which lands and waters would qualify for conservation and how to measure progress.

Environmental groups praised the report.

“The plan released today recognizes the current pace of conservation is not enough, and that we need to engage tribes, all stakeholders and communities to achieve a 30% conservation goal that will bring effective, lasting and equitable results,” said The Nature Conservancy’s Lynn Scarlett, who served as deputy Interior secretary in the George W. Bush administration. “Protected areas and federal designations are important, but integrating other management authorities and working waters, lands and oceans is also necessary to achieving this goal.”

Top GOP officials, while reacting positively to enhanced conservation of public land and water, dismissed the report as lacking much specificity.

“While I’m pleased this report is finally being released to the public, it is clear the Administration still has a lot of work ahead of them,” said Rep. Dan Newhouse (R-WASHINGTON), the chairman of the Congressional Western Caucus. “The report lacks what we have been asking for all along: details about how they plan to achieve these seemingly

arbitrary conservation goals and what their definition of ‘conservation’ really means.”

Some farm organizations are also taking a “wait and see” approach before they sign on to 30 x 30. Ernie Shea is President of Solutions from the Land (SfL), a farmer-led organization that explores integrated land management solutions to help meet food security, economic development, climate change and conservation of biodiversity goals.

“At the heart of the executive order and the 30x’30 proposal is the pursuit of measures to counter the changing climate,” said Mr. Shea. “If done right, achieving the goal can lead to greater benefits in curbing the changes occurring in our climate and building great sustainability in our ability to produce food, feed and fiber. If done wrong, it could needlessly sideline otherwise viable, sustainably maintained land needed to meet the need to feed, clothe and provide shelter for rapidly growing global population.”

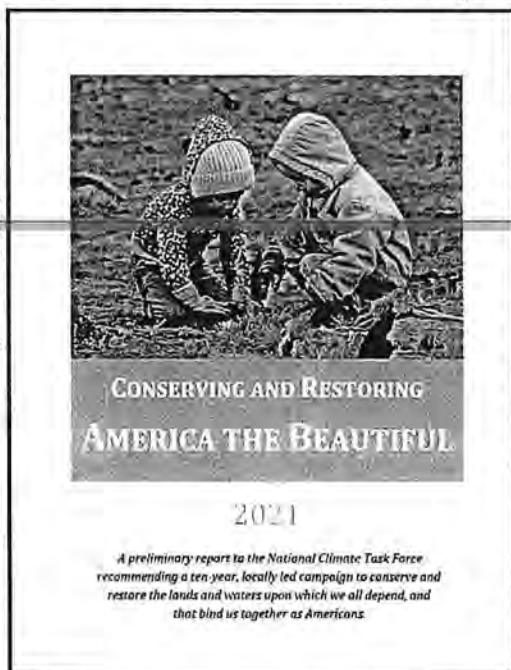
## Progress Report on Climate-Smart Agriculture & Forestry

The U.S. Department of Agriculture (USDA) last month published the 90-Day Progress Report on Climate-Smart Agriculture and Forestry. The report represents an important step toward in President Biden’s Executive Order on Tackling the Climate Crisis at Home and Abroad and shift towards a whole-of-department approach to climate solutions.

“With the right tools and partnerships, American agriculture and forestry can lead the world in solutions that will increase climate resilience, sequester carbon, enhance agricultural productivity, and maintain critical environmental benefits,” said Agriculture Secretary Vilsack. “At this pivotal time, President Biden has called upon USDA to develop a strategy for climate smart agriculture and forestry as part of a whole-of-government effort to addressing the climate crisis. Central to USDA’s approach is the concept that to be effective, whatever we do must work for farmers, ranchers, and landowners.”

The Order, signed January 27, states that, “America’s farmers, ranchers, and forest landowners have an important role to play in combating the climate crisis and reducing greenhouse gas emissions, by sequestering carbon in soils, grasses, trees, and other vegetation and sourcing sustainable bioproducts and fuels.”

“The initial take by some of our allies in the ag community is that it is generally in alignment with climate smart agriculture positions we’ve advanced through SfL and the North American Climate Smart Agriculture Alliance,” said Dan Kep-



Continued on Page 11

## Reclamation Seeks Comments on Changes to WaterSMART

The Bureau of Reclamation (Reclamation) is proposing several changes to the WaterSMART program for 2022. Reclamation is seeking public comment on draft eligibility and evaluation criteria for three funding opportunities within the WaterSMART Program to assist with these changes.

Reclamation proposes updates to the eligibility requirements and evaluation criteria for the Drought Resiliency Projects and Water and Energy Efficiency Grants funding opportunities. Reclamation is also launching a new funding opportunity for Environmental Water Resources Projects.

This new funding opportunity will focus on projects that have environmental benefits, are developed as part of a collaborative process, and may be eligible for up to 75% federal funding.

The changes were developed to incorporate recent amend-

ments to the SECURE Water Act, implement priorities identified in executive orders signed by President Biden, and support the goals of the Interagency Drought Relief Working Group established in March 2021.

The Family Farm Alliance in July 2020 testified before the Senate Energy and Natural Resources Committee on several bills, including the WaterSMART provisions that were included in amendments to the SECURE Water Act.

The proposed draft eligibility and evaluation criteria are available on the WaterSMART website. Comments should be sent to Sheri Looper at [slooper@usbr.gov](mailto:slooper@usbr.gov) by June 4, 2021.

"The Alliance is working on a formal comment letter that for Reclamation to consider as it finalizes the eligibility and evaluation criteria for this important program," noted Alliance Executive Director Dan Keppen.

## West Coast Ag Interests Oppose Petition to List Spring-Run Chinook

A comment letter developed jointly by Family Farm Alliance (Alliance), California Farm Bureau (CAFB), and Oregon Farm Bureau (OFB), was transmitted last month to the National Marine Fisheries Service (Service) on its 90-day finding on the petition to list the Southern Oregon and Northern California Coast (SONCC) Spring-Run Chinook Salmon as a separate evolutionarily significant unit (ESU) under the federal Endangered Species Act (ESA).

CAFB and the Alliance teamed up on a similar letter a few years ago in response to critical habitat revisions proposed by

the US Fish and Wildlife Service for yellow-billed cuckoo, which had implications for members in several Western states.

"Members of our organizations in Southern Oregon and Northern California could be potentially impacted by the proposed spring-run listing," said Alliance Executive Director Dan Keppen. "If past listings and proposed listings are any indicators, we predict that yet another listing at this time could needlessly and unproductively exacerbate already significant water use challenges in this region."

## Climate-Smart Agriculture (Continued from Page 10)

pen, Family Farm Alliance Executive Director.

Meanwhile, Senate Agriculture Committee Chair Debbie Stabenow is working with the White House to try insert significant conservation funding in the ongoing infrastructure talks.

"I'm working closely with the White House on climate smart agricultural practices," she said. "I'm working with them to make sure that there's enough dollars to do what farmers are telling us they want to do."

### Alliance Actions on Biden Climate Change Initiative

The Family Farm Alliance last month helped prepare two comment letters to USDA in response to an agency request for public input on Biden Administration climate and forest initiatives.

"This was a good opportunity to provide comments to USDA on a variety of issues important to our membership, including climate-smart agriculture and forestry, biofuels, bioproducts, renewable energy, and catastrophic wildfire," said Alliance President Patrick O'Toole. "We're hopeful that Secretary Vilsack and his leadership team at USDA will consider them as the agency develops a climate-smart agriculture

and forestry approach."

The Alliance also worked with the Western Agriculture and Conservation Alliance (WACC) to craft another, more conservation-oriented response to USDA's request.

### Alliance Joins Coalition Supporting Forest Restoration

The Family Farm Alliance in May joined a coalition of organizations concerned about federal forest management - and the resulting impacts of wildfire, soil erosion, and water quality, which called upon Congress to invest \$30 billion in forest restoration over the next 10 years as part of the upcoming federal infrastructure package.

"The intense wildland fires we are witnessing throughout the West don't just destroy trees and vegetation," the coalition letter stated. "They also severely affect water quality by causing soil erosion, increased flooding and debris flow."

The coalition's \$30 billion request is based on a figure widely cited as necessary to meet needs of forest health and is based on congressional testimony the U.S. Forest Service gave last year. The group outlines the necessity of the funding and points to "protection of critical watersheds and restoration of federal lands as a core infrastructure issue."

**A Big Thank You to Our New and Supporting Members!**

**MARCH—APRIL 2021**

**CHAMPION (\$10,000 and Above)**

**California Cotton Alliance  
Westlands Water District (CA)**

**DEFENDER (\$1000-\$4999)**

**A Tumbling T Ranches (AZ) Central Arizona Irrigation & Drainage District  
Central Oregon Irrigation District Central Oregon Seeds, Inc.  
Coleman Farming Co. LLC (CA) Del Puerto Water District (CA)  
Deschutes Basin Board of Control (OR) Electrical District #8 (AZ)  
Farwell Irrigation District (NE) Grand Valley Water Users Association (CO)  
Kings River Conservation District (CA) McCilli Farms (NM)  
North Platte Valley Irrigators Association (NE) PacificComm L.L.C (WA)  
Palo Verde Irrigation District (CA) Roosevelt Irrigation District (AZ)  
Salt River Project (AZ) Tehama-Colusa Canal Authority (CA)  
Whitman/SWK Farms (AZ) Yakima-Tieton Irrigation District (WA)  
Yuma County Water Users Association (AZ)**

**PARTNER (\$500-\$999)**

**Bransford Farms (CA) Circle G Farms (CA) Columbia Canal Company (CA)  
East Basin Irrigators Association (WA) Hills Valley Irrigation District (CA)  
New Magma Irrigation and Drainage District (AZ) Oregon Water Resources Congress (OR)  
Pine River Irrigation District (CO) Provident Irrigation District (CA) Salopek Foundation (NM)  
Sargent Irrigation District (NE) Tualatin Valley Irrigation District (OR)  
Twin Loups Reclamation District (NE) Western Canal Water District (CA)**

**SUPPORTER (\$250—\$499)**

**Don Schwindt (CO) Duyck Ranches (WY) Flying R Farms (AZ) Gary W. Robertson (CA)  
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News Opinion Sport Culture Lifestyle



Climate crisis in the American west  
**'Truly an emergency': how drought returned to California - and what lies ahead**

**Gabrielle Canon** *in San Francisco*

🐦 @GabrielleCanon

Mon 7 Jun 2021 03:00 EDT

**J**ust two years after California celebrated the end of its last devastating drought, the state is facing another one. Snowpack has dwindled to nearly nothing, the state's 1,500 reservoirs are at only 50% of their average levels, and federal and local agencies have begun to issue water restrictions.

Governor Gavin Newsom has declared a drought emergency in 41 of the state's 58 counties. Meanwhile, temperatures are surging as the region braces for what is

expected to be another record-breaking fire season, and scientists are sounding the alarm about the state's readiness.

“What we are seeing right now is very severe, dry conditions and in some cases and some parts of the west, the lowest in-flows to reservoirs on record,” says Roger Pulwarty, a senior scientist in the National Oceanic and Atmospheric Administration (Noaa) physical sciences laboratory, adding that, while the system is designed to withstand dry periods, “a lot of the slack in our system has already been used up”.

How did we get here?

### **A creeping trend**

Drought is not unnatural for California. Its climate is predisposed to wet years interspersed among dry ones. But the climate crisis and rising temperatures are compounding these natural variations, turning cyclical changes into crises.

Drought, as defined by the National Weather Service, isn't a sudden onset of characteristics but rather a creeping trend. It's classified after a period of time, when the prolonged lack of water in a system causes problems in a particular area, such as crop damages or supply issues. In California, dry conditions started to develop in May of last year, according to federal monitoring systems.



▲ Dry banks rise above water in Lake Oroville on Sunday 23 May in Oroville, California. Photograph: Noah Berger/AP



The effects really began to show in early spring 2021, when the annual winter rainy season failed to replenish the parched landscape and a hot summer baked even more moisture out of the environment. By March, conditions were dire enough for the US agriculture secretary, Tom Vilsack, to designate most of California as a primary disaster area. Just two months later, 93% of the south-west and California was in drought, with 38% of the region classified at the highest level.

“When you have droughts with warm temperatures, you dry out the system much faster than you’d expect,” says Pulwarty, adding that climate change can make droughts both more severe and harder to recover from. “It is not just how much precipitation you get - it is also about whether or not it stays as water on the ground.”

### **Dwindling water, rising temperatures**

The state’s previous drought lasted roughly seven long years, from December 2011 to March 2019, according to official estimates. But some scientists believe it never actually ended. These researchers suggest that the west is gripped by an emerging “megadrought” that could last for decades. A 2020 study that looked at tree rings for historical climate clues concluded that the region may be entering the worst prolonged period of drought encountered in more than 1,200 years and attributed roughly half of the effects to human-caused global heating.

Meanwhile, California has been getting warmer, and 2020 brought some of the highest temperatures ever recorded. In August of last year, Death Valley reached 130F (54C) and a month later, an area in Los Angeles county recorded a 121F (49.4C) day - the hottest in its history.

**“ When we do not have the snowpack, it puts our water system under tremendous pressure  
Safeeq Khan, professor and climate researcher**

Heat changes the water cycle and creates a thirstier atmosphere that accelerates evaporation. That means there’s less water available for communities, businesses, and ecosystems. It also means there will be less snow, which California relies on for roughly 30% of its water supply.

“The snowpack, in the context of the western US and specifically in California, is really critical for our water supply,” says Safeeq Khan, a professor at University of California, Merced, who researches the climate crisis and water sustainability. “The snowpack sits on the mountain

and melts in the spring and early summer. That provides the buffer to overcome the extreme summer heat,” he explains.

But in recent years, even during wet winters, he says, the snowpack wasn't as strong as it used to be. This year, even before the summer, it is already nearly gone. The melt has also produced less runoff than expected, meaning less trickled into streams, rivers and reservoirs.

**Peter Gleick**

@PeterGleick



Well, that's it. California's winter snowpack is basically gone. Two months early.

#drought

#climatechange

2:38 PM · May 27, 2021



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“Years like this, when we do not have the snowpack, it really puts our water system under tremendous pressure,” Khan says. He doesn't think that will change anytime soon, adding that, while drought isn't new in the west, “the kind of drought we are experiencing is new. The impact is a lot more than it was in the past.”

## What will the impact be?

Drought disasters are among the most costly, according to the US National Centers for Environmental Information, running an average of \$9.3bn in damage and loss. Dry conditions are also expected to fuel another potentially devastating wildfire season. In 2020, roughly 4.1m acres were consumed by the flames, tens of thousands of buildings burned and 31 people lost their lives.

The browning hillsides and dying trees are not only increasing the risk of ignitions, they also cause fire behavior to be more extreme when blazes erupt, according to Scott Stephens, a fire ecologist at the University of California, Berkeley. “We’ll probably get to typical fire season moisture levels six weeks early this year because of the drought,” he said as part of an interview series for the Public Policy Institute of California.

Along with wildfire risks, short water supply is putting immense pressure on the state’s agricultural industry, which grows over a third of the country’s vegetables and supplies two-thirds of the fruits and nuts in the US. Already farmers are culling crops and fallowing fields in anticipation of water shortages. Karen Ross, California’s food and agriculture secretary, told the California Chamber of Commerce that she expected 500,000 acres would have to sit idle this year.



▲ Shallow, stagnant water lines the 'A Canal' in Klamath Falls, Oregon, on Tuesday. Photograph: Dave Killen/AP

The federal government has already announced a dramatic reduction in water allotments to farmers in California's Central Valley, while further north, tensions are running high in the Klamath Basin, where a federal canal servicing 150,000 acres of farmland will run dry for the first time in 114 years.

Cities and other urban regions are also set to receive less water, and residents are being asked to conserve where they can.

"We are truly in an emergency situation," Rick Callender, CEO of the Santa Clara Valley Water District, which delivers water to 2 million residents south of the San Francisco Bay Area, told the Mercury News last week. The agency will enact mandatory restrictions across the county, adding that the public should anticipate cutbacks to increase as the situation intensifies. "We're going to be seeking everything we can do to address this emergency."

Worsening drought will also exacerbate longstanding problems for people in the Central Valley, who have suffered through shortages in water for drinking, cooking and sanitation. During the previous drought, wells ran dry and never recovered. More than a million Californians still don't have access to safe drinking water.

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Low water levels also have the potential to affect the state's electrical grid, which depends on hydroelectric power plants, the Los Angeles Times has reported. Lake Oroville is expected to fall below 640ft - the level state officials say is required to run a plant - by August. Currently, it stands just above 700ft.

### **How ready is the state?**

California has already invested billions to prepare and has learned key lessons from the last round, when the state experienced its driest four-year stretch in history. In 2014, the state also passed the Groundwater Management Act, landmark legislation that requires communities to monitor groundwater basins and develop plans to protect them. But implementation is still in its early stages.

Newsom has proposed a \$5.1bn investment over the next four years to respond to the disaster and improve infrastructure. Cal Fire, the state's firefighting agency, has also added 1,400 new firefighters to its ranks, along with picking up new helicopters and fire engines.

"California has done a remarkable job," says Pulwarty, but he adds that more ambitious solutions are still needed.

“There are innovations that we need to scale up,” he says, from urban conservation and reuse to upping agricultural efficiency and creating land reserves that will help regions become more resilient when drought disasters strike.

Others warn the state must take the long view, with drought conditions likely to get worse before they get better.

“If we are worried about this year we are really playing the short game,” says Doug Parker, the director of the California Institute for Water Resources. “It’s next year that I think is more important.”

The water system, he says, is designed to handle short-term shortages. “When you get into three, four, five years in a row of drought - that’s when things really start to get serious. We all wish we knew what was going to happen next winter.”

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## CORRESPONDENCE LIST

## **Agenda Item 14.**

JUNE 2021

1. Letter from District dated May 13, 2021 to ten (10) District Customers regarding backflow testing requirement reminder letter
2. Notice and Agenda received May 17, 2021 from the Santa Ynez Community Services District regarding a Board of Directors Meeting of May 19, 2021
3. Notice and Agenda received May 19, 2021 from Cachuma Operations & Maintenance Board regarding Board Meeting of May 24, 2021
4. Letter from District dated May 20, 2021 to Mr. M. Testa regarding refund – unused portion of deposit for ARV removal and relocation APN – 137-650-003
5. Letter from District dated May 20, 2021 to Mr. G. Speirs regarding backflow prevention device testing requirement for N. Refugio Road
6. Notice and Agenda received May 24, 2021 from Santa Barbara County Clerk of the Board of Supervisors regarding Santa Barbara LAFCO Meeting of June 3, 2021
7. Memorandum received May 24, 2021 from Santa Barbara Local Agency Formation Commission (LAFCO) transmittal of adopted Fiscal Year 2021/2022 LAFCO Budget
8. Notice and Agenda received May 24, 2021 from Central Coast Water Authority regarding Board of Directors Meeting May 27, 2021
9. Letter from District dated June 1, 2021 to Bohlinger Family Trust regarding Can and Will Serve – commercial building second floor conversion to three residential dwelling units and private fire protection - Edison Street – APN 143-213-001
10. Letter from District dated June 1, 2021 to The Carleton Group, LLC regarding Can and Will Serve – Forfriends Inn – six new cottage units and private fire protection – Sagunto Street – APN 143-330-039
11. Letter from District dated June 1, 2021 to Mr. Pearce regarding existing water service – guest house conversion to additional dwelling unit – Alamo Pintado – APN 137-110-056
12. Letter from District dated June 2, 2021 to Ms. Pena regarding existing water service – bakery and retail with coffee bar conversion – Sagunto Street – APN 143-213-004
13. Letter from District dated June 2, 2021 to Mr. Johnson regarding existing water service – single family residence remodel, two bathrooms, addition of master bedroom, and pool cabana with bathroom – APN 141-170-064
14. Letter from District dated June 2, 2021 to Mr. & Mrs. Wood regarding existing water service – new single-family residence with private fire protection – Old Ranch Road – APN 137-690-007
15. Letter from District dated June 3, 2021 to Mr. Lash regarding water service requirements – new detached garage office and second floor craft room, including private fire protection – Deer Trail Place – APN 141-323-010

16. Letter from District dated June 4, 2021 to Mr. Laughlin regarding water service requirements - new domestic water service - Alamo Pintado Road - APN 137-051-001
17. Letter received June 9, 2021 from Brownstein, Hyatt, Farber & Schreck regarding a waiver of conflict of interest - consultation, disclosure, informed consent