

**NOTICE AND AGENDA**

Regular Meeting of the Board of Trustees  
SANTA YNEZ RIVER WATER CONSERVATION DISTRICT, IMPROVEMENT DISTRICT NO.1  
will be held at **3:00 P.M., Tuesday, January 16, 2024**  
**1070 Faraday Street, Santa Ynez, CA - Conference Room**

**PUBLIC PARTICIPATION OPTION VIA TELECONFERENCE**

**TELECONFERENCE PHONE NUMBER: 1-669-900-9128**

**MEETING ID: 929 0039 9487#**

**PARTICIPANT ID NO.: 180175#**

**MEETING PASSCODE: 180175#**

Trustee Michael Burchardi will be attending the meeting via teleconference from the following location:

The Rochester Marriott, 101 1<sup>st</sup> Avenue Southwest, Rochester, Minnesota, 55902

Members of the public may join Trustee Burchardi at that location.

The meeting will be held according to California time, 3:00 p.m. Pacific Daylight Time

**Notice Regarding Public Participation:** For those who may not attend the meeting but wish to provide public comment on an Agenda Item, please submit any and all comments and written materials to the District via electronic mail at [general@syrwd.org](mailto:general@syrwd.org). All submittals should indicate "**January 16, 2024 Board Meeting**" in the subject line. Materials received by the District during and prior to the meeting will become part of the post-meeting Board packet materials available to the public and posted on the District's website.

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. **CONSIDERATION OF THE MINUTES OF THE REGULAR MEETING OF DECEMBER 19, 2023**
7. **CONSENT AGENDA** - All items listed on the Consent Agenda are considered to be routine and will be approved or rejected in a single motion without separate discussion. Any item placed on the Consent Agenda can be removed and placed on the Regular Agenda for discussion and possible action upon the request of any Trustee.  
CA-1. Water Supply and Production Report  
CA-2. Central Coast Water Authority Update
8. **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. Personnel Policy Manual
      - a) Resolution No. 841: A Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 Amending the District's Personnel Policy Manual

3. Personnel Recruitment Update
4. Board of Trustees Vacancy for Division 1
  - a) Procedural Update; Consideration of Applications; Possible Recommendation for Appointment
9. **REPORT, DISCUSSION, AND POSSIBLE BOARD ACTION ON THE FOLLOWING SUBJECTS:**
  - A. **SUSTAINABLE GROUNDWATER MANAGEMENT ACT**
    1. Eastern Management Area (EMA) Update
  - B. **CENTRAL COAST WATER AUTHORITY**
    1. Proposed Santa Ynez II Pipeline Project
10. **REPORTS BY THE BOARD MEMBERS OR STAFF, QUESTIONS OF STAFF, STATUS REPORTS, ANNOUNCEMENTS, COMMITTEE REPORTS, AND OTHER MATTERS AND/OR COMMUNICATIONS NOT REQUIRING BOARD ACTION**
11. **CORRESPONDENCE: GENERAL MANAGER RECOMMENDS FILING OF VARIOUS ITEMS**
12. **REQUESTS FOR ITEMS TO BE INCLUDED ON THE NEXT REGULAR MEETING AGENDA:** Any member of the Board of Trustees may request to place an item on the 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.
13. **NEXT MEETING OF THE BOARD OF TRUSTEES:** The next Regular Meeting of the Board of Trustees is scheduled for **February 20, 2024 at 3:00 p.m.**
14. **CLOSED SESSION:**  
The Board will hold a closed session to discuss the following items:
  - A. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**  
[Subdivision (d)(1) of Section 54956.9 of the Government Code – 2 Cases]
    1. Name of Case: Adjudicatory proceedings pending before the State Water Resources Control Board regarding Permit 15878 issued on Application 22423 to the City of Solvang, Petitions for Change, and Related Protests
    2. Name of Case: Central Coast Water Authority, et al. v. Santa Barbara County Flood Control and Water Conservation District, et al., Santa Barbara County Superior Court Case No. 21CV02432
  - B. **CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION**  
[Subdivision (d)(2) of Section 54956.9 of the Government Code – Significant Exposure to Litigation Against the Agency – One Matter]
15. **RECONVENE INTO OPEN SESSION**  
[Sections 54957.1 and 54957.7 of the Government Code]
16. **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 et seq., specifically Section 54956. This Agenda contains a brief general description of each item to be considered. The Board reserves the right to change the order in which items are heard. Copies of any staff reports or other written documentation relating to each item of business on the Agenda are on file with the District and available for public inspection during normal business hours at 3622 Sagunto Street, Santa Ynez. Such written materials will also be made available on the District's website, subject to staff's ability to post the documents before the regularly scheduled meeting. Questions concerning any of the Agenda items may be directed to the District's General Manager at (805) 688-6015. If a court challenge is brought against any of the Board's decisions related to the Agenda items above, the challenge may be limited to those issues raised by the challenger or someone else during the public meeting or in written correspondence to the District prior to or during the public meeting. In compliance with the Americans with Disabilities Act, any individual needing special assistance to review Agenda materials or participate in this meeting may contact the District Secretary at (805) 688-6015. Notification 72 hours prior to the meeting will best enable the District to make reasonable arrangements to ensure accessibility to this meeting.

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT,  
IMPROVEMENT DISTRICT NO.1  
DECEMBER 19, 2023 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, December 19, 2023, in-person at 1070 Faraday Street.

Trustees Present: Jeff Clay  
Michael Burchardi  
Brad Joos  
Nick Urton

Trustees Absent: Jeff Holzer

Others Present: Paeter Garcia Mary Robel  
Karen King Eric Tambini  
Dan Drugan Gary Kvistad  
John Britton

1. CALL TO ORDER AND ROLL CALL:

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

2. PLEDGE OF ALLEGIANCE:

President Clay led the Pledge of Allegiance.

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

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

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

There were no additions or corrections to the Agenda.

5. PUBLIC COMMENT:

President Clay welcomed any members of the public 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 reported that no written comments were submitted to the District for the meeting.

6. INTRODUCTION AND WELCOME FOR NEW DISTRICT EMPLOYEE:

A. Daniel Drugan - Deputy Water Resources Manager

Mr. Garcia introduced Mr. Daniel Drugan to the Board. He stated that Mr. Drugan was hired to fill the vacancy that will be created upon the retirement of Mr. Eric Tambini, Water Resources Manager, at the end of December. He indicated that Mr. Drugan started on November 27, 2023 and is in the process of cross-training prior to Mr. Tambini's departure. Mr. Garcia recapped Mr. Drugan's background and experience, stating that he came from Calleguas Municipal Water District where he was the Manager of Water Resources and Public Affairs, and he brings a broad set of water experience to the District. The Board welcomed Mr. Drugan.

1     7.     CONSIDERATION OF THE MINUTES OF THE REGULAR MEETING OF NOVEMBER 21, 2023

2     The Regular Meeting Minutes from November 21, 2023 were presented for consideration.

3  
4     President Clay asked if there were any changes or additions to the Regular Meeting Minutes of  
5     November 21, 2023. There were no changes or additions requested.

6  
7     It was **MOVED** by Trustee Urton, seconded by Trustee Joos, and carried by a 4-0-0 voice vote, with  
8     Trustee Holzer absent, to approve the November 21, 2023 Regular meeting minutes as presented.

9  
10    8.     CONSENT AGENDA:

11    The Consent Agenda Report was provided in the Board Packet.

12  
13    Mr. Garcia reviewed the Consent Agenda materials for the month of November.

14  
15    It was **MOVED** by Trustee Joos, seconded by Trustee Burchardi, and carried by a 4-0-0 voice vote,  
16    with Trustee Holzer absent, to approve the Consent Agenda as presented.

17  
18    9.     MANAGER REPORTS - STATUS, DISCUSSION, AND POSSIBLE BOARD ACTION ON THE FOLLOWING  
19     SUBJECTS:

20    A.     DISTRICT ADMINISTRATION

21  
22        1.    Board of Trustees Designations

- 23           a)   Selection of Officers of the Board – President, Vice President, Treasurer & Secretary  
24           Mr. Garcia reported that each December the District’s Board selects the positions of  
25           President, Vice President, and Treasurer and Secretary to the Board of Trustees. He  
26           explained that the process for selecting officers is based on nomination and vote by  
27           the Board members.

28  
29           President Clay reviewed the current positions and called for nominations from the  
30           Board. Trustee Burchardi suggested that the positions remain unchanged. The Board  
31           concurred with Trustee Burchardi, and the nominations were closed.

32  
33           It was **MOVED** by Trustee Urton, seconded by Trustee Burchardi, and carried by a 4-  
34           0-0 voice vote, with Trustee Holzer absent, to select Trustee Clay as President, Trustee  
35           Burchardi as Vice President, and Mary Robel as Treasurer and Secretary to the Board  
36           of Trustees.

- 37  
38           b)   Appointment of Representatives to Participating Agencies and Organizations –  
39           CCWA & ACWA

40           President Clay reviewed the current Board representatives to participating agencies  
41           and organizations. He reported that he and Trustee Urton serve as the Director and  
42           Alternate, respectively, to the Central Coast Water Authority Board and that he and  
43           Mr. Garcia serve as Representative and Alternate, respectively, to the Association of  
44           California Water Agencies.

45  
46           It was **MOVED** by Trustee Burchardi, seconded by Trustee Urton, and carried by a 4-  
47           0-0 voice vote, with Trustee Holzer absent, to appoint Trustees Clay and Urton as  
48           Director and Alternate, respectively, to the Central Coast Water Authority Board of  
49           Directors, and to appoint Trustee Clay and Paeter Garcia as Representative and  
50           Alternate, respectively, to the Association of California Water Agencies.

1 c) Appointment of Board Committees

2 President Clay reviewed the current Board representative for the Ad Hoc Committees.  
3 He identified each Ad Hoc Committee, which included Trustees Clay and Joos – City  
4 of Solvang; Trustees Burchardi and Joos – Water Rates; Trustees Clay and Joos –  
5 COMB; Trustees Joos and Burchardi – SGMA; Trustees Burchardi and Urton –  
6 Cachuma Contract; and Trustees Burchardi and Clay – Los Olivos CSD. Trustee Joos  
7 suggested no changes to the current representation.  
8

9 It was MOVED by Trustee Clay, seconded by Trustee Urton, and carried by a 4-0-0  
10 voice vote, with Trustee Holzer absent, to appoint Trustees Clay and Joos to the City  
11 of Solvang Ad Hoc Committee; Trustees Burchardi and Joos to the Water Rates Ad  
12 Hoc Committee; Trustees Clay and Joos to the COMB Ad Hoc Committee; Trustees  
13 Joos and Burchardi to the SGMA Ad Hoc Committee; Trustees Burchardi and Urton  
14 to the Cachuma Contract Ad Hoc Committee; and Trustees Burchardi and Clay to the  
15 Los Olivos CSD Ad Hoc Committee.  
16

17 2. Proposed Merit Increase for District Employee

18 a) Water Resources Manager

19 The Board packet included a December 19, 2023 Staff Report.  
20

21 Mr. Garcia reviewed the staff report. He explained that the salaries of District  
22 employees are established according to a 12-step range for each position. He indicated  
23 that according to the District's Personnel Policy Manual, employees who have reached  
24 the top step of their salary range are only eligible for cost-of-living adjustments and  
25 merit increases, where merit increases must be approved by the Board of Trustees.  
26 Mr. Garcia reported that Mr. Tambini has been at his top step for several years and  
27 has not had access to a salary increase based on performance. Mr. Garcia stated that  
28 over his 26 years of service, Mr. Tambini has been instrumental in many components  
29 of the District's success, ranging from capital improvement planning, project  
30 implementation, operational and personnel management, regulatory compliance, and  
31 customer relations. He stated that Mr. Tambini continues to perform at a superior  
32 level and recommended that the Board consider and approve a five percent (5%)  
33 merit-based increase in salary, effective July 1, 2023. Mr. Garcia stated that employee  
34 salary funds are available in the approved FY 2023-2024 Budget to accommodate this  
35 merit increase.  
36

37 It was MOVED by Trustee Burchardi, seconded by Trustee Clay, and carried by a 4-0-  
38 0 voice vote, with Trustee Holzer absent, to approve a five percent (5%) merit-based  
39 increase in salary for Mr. Tambini, effective July 1, 2023.  
40

41 3. Financial Report on Administrative Matters

42 a) Draft June 30, 2023 & 2022 Audited Financial Statements – Presentation by Bartlett,  
43 Pringle & Wolf, LLP

44 This item was taken out of the agenda order.  
45

46 The Draft June 30, 2023 and 2022 Financial Statements were included in the Board  
47 packet.  
48

49 Mr. Garcia introduced Mr. John Britton from Bartlett, Pringle & Wolf, LLP for the  
50 presentation of the District's draft June 30, 2023 and 2022 Financial Statements.  
51

1 Mr. Britton reviewed a PowerPoint presentation of the June 30, 2023 and 2022  
2 Financial Statements. He reviewed the District's current assets, liabilities and fund  
3 equity, statement of revenues, statement of changes, statement of cash flows, and  
4 notes to financial statements. Mr. Britton reported that the District's financials  
5 conform to required Generally Accepted Accounting Principles and the State  
6 Controller's Minimum Audit Requirements for California Special Districts. He  
7 explained that the District's audit resulted in no disagreements with Management  
8 relating to the financials and was a clean audit opinion with no reportable findings or  
9 exceptions.

10  
11 The Board thanked Mr. Britton for his presentation. Ms. Robel thanked the staff at  
12 Bartlett, Pringle & Wolf for their assistance with the audit.  
13

14 Mr. Garcia recommended acceptance and approval of the June 30, 2023 and 2022  
15 Financial Statements as presented and authorization for Management to post and  
16 submit the final version of the Financial Statements to the State Controller's Office and  
17 the County of Santa Barbara.  
18

19 It was MOVED by Trustee Clay, seconded by Trustee Burchardi, and carried by 4-0-0  
20 voice vote, with Trustee Holzer absent, to approve and accept the June 30, 2023 and  
21 2022 Financial Statements as presented by Bartlett, Pringle & Wolf, LLP and authorize  
22 Management to execute the final documentation and distribute to the appropriate  
23 governmental agencies.  
24

25 b) Presentation of Monthly Financial Statements – Revenues and Expenses

26 Ms. Robel announced that the Financial Statements were provided to the Board via  
27 email earlier today and were included in the handout materials and posted on the  
28 District's website in the Board packet materials section for any member of the public  
29 wishing to follow along or receive a copy.  
30

31 Ms. Robel reviewed the Statement of Revenues and Expenses for the month of  
32 November. She highlighted various line-items related to revenue and expense  
33 transactions that occurred during the month and referred to the Fiscal-Year-to-Date  
34 Statement of Revenues and Expenses that provides a budget to actual snapshot for the  
35 month of November. Ms. Robel reported that the District revenues for the month of  
36 November exceeded the expenses by \$300,483.48 and the year-to-date net income was  
37 \$1,626,074.50.  
38

39 c) Approval of Accounts Payable

40 Ms. Robel announced that the Warrant List was provided to the Board via email earlier  
41 today and included in the handout materials and posted on the District's website in  
42 the Board packet materials section for any member of the public wishing to follow  
43 along or receive a copy.  
44

45 The Board reviewed the Warrant List which covered warrants 25555 through 25613 in  
46 the amount of \$848,579.16.  
47

48 It was MOVED by Trustee Urton, seconded by Trustee Burchardi, and carried by a 4-  
49 0-0 voice vote with Trustee Holzer absent, to approve the Warrant List for November  
50 22, 2023 through December 19, 2023.  
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4. Amendment to Rules and Regulations

- a) Resolution No. 839: A Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement No.1 Approving the Automatic Annual Adjustments to the Capital Facilities Charges and Meter Installation Fees Contained in Appendix "C" and Appendix "D" of the District's Rules and Regulations

The Board packet included a December 19, 2023 Staff Report and Resolution No. 839 with related appendices.

Mr. Garcia explained that Resolution No. 839 amends Appendix "C" and Appendix "D" of the District's Rules and Regulations relating to the District's Capital Facilities Charges and related costs under Section 603 and 709 of the District's Rules and Regulations. He stated that Resolution No. 839 was presented in draft form to the Board of Trustees at the November Meeting. Mr. Garcia reviewed the calculations used to establish the 2024 Capital Facilities Charges, how the 2024 charges compare to the 2023 charges, and recommended approval of Resolution No. 839 for the automatic annual adjustment to the District's Capital Facilities Charges and meter installation fees effective January 1, 2024 pursuant to Sections 603 and 709 of the District Rules and Regulations.

It was **MOVED** by Trustee Burchardi, seconded by Trustee Urton, to adopt Resolution No. 839, a Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement No.1 Approving the Automatic Annual Adjustments to the Capital Facilities Charges and Meter Installation Fees Contained in Appendix "C" and Appendix "D" of the District's Rules and Regulations.

The Motion carried and Resolution No. 839 was adopted by the following 4-0-0 roll call vote:

<b>AYES, Trustees:</b>	Mike Burchardi Jeff Clay Brad Joos Nick Urton
<b>NOES, Trustees:</b>	None
<b>ABSTAIN, Trustees:</b>	None
<b>ABSENT, Trustees:</b>	Jeff Holzer

5. District Land and Air Space

- a) Resolution No. 840: A Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 Concerning Inventory of District Land and Air Space

The Board packet included draft Resolution No. 840 and supporting documentation.

Mr. Garcia stated that pursuant to Section 50569 of the California Government Code, the District must inventory its land and air space on an annual basis to determine if any surplus land exists. He stated that based on the inventory, as reflected in the attachment to Resolution No. 840, no District lands are deemed surplus to the District's current and foreseeable needs and recommended approval of Resolution No. 840 as presented.

1 It was MOVED by Trustee Burchardi, seconded by Trustee Clay, to adopt Resolution  
2 No. 840, a Resolution of the Board of Trustees of the Santa Ynez River Water  
3 Conservation District, Improvement No.1 Concerning Inventory of District Land and  
4 Air Space.  
5

6 The Motion carried and Resolution No. 840 was adopted by the following 4-0-0 roll  
7 call vote:  
8

9 AYES, Trustees: Mike Burchardi  
10 Jeff Clay  
11 Brad Joos  
12 Nick Urton  
13

14 NOES, Trustees: None

15 ABSTAIN, Trustees: None

16 ABSENT, Trustees: Jeff Holzer  
17

18 6. Purchase of Fleet Vehicle  
19 a) Consideration and Award of Bid  
20

21 The Board packet included bid results for the purchase of one new fleet vehicle.  
22

23 Mr. Garcia explained that a request for bids was opened for the purchase of one new  
24 Ford F250 Regular Cab, 4WD Truck equipped with an 8 foot utility body with lift-gate.  
25 He indicated that funds for this purchase were included in the adopted Fiscal Year  
26 2023-24 Budget. Mr. Garcia reported that bid requests were sent to eight potential  
27 vendors and three bid responses were received by the deadline date. Discussion  
28 ensued regarding the bid process and other purchase options, as well as the District's  
29 purchasing policy. Trustee Joos expressed that the District should issue truck bids to  
30 allow consideration of various manufacturers such as Chevrolet and Dodge.  
31

32 Mr. Garcia stated that after comparing all bid submittals, the bid results reflect that  
33 Perry Ford of San Luis Obispo was the lowest responsive and responsible bid in the  
34 amount of \$67,985.54. He recommended acceptance of the bid from Perry Ford of San  
35 Luis Obispo and authorization to purchase the fleet vehicle.  
36

37 It was MOVED by Trustee Burchardi, seconded by Trustee Urton, and carried by a 4-  
38 0-0 voice vote, with Trustee Holzer absent, to accept the lowest responsive and  
39 responsible bid of \$67,985.54 from Perry Ford of San Luis Obispo for the purchase of  
40 a new Ford F250 4WD Regular Cab Truck with an 8 foot utility body with lift-gate.  
41

42 **B. OPERATIONS AND MAINTENANCE**

43 1. Refugio 3 Replacement Project

44 The Board packet included a Notice of Exemption for the Refugio 3 Booster Pump Station  
45 Replacement Project.  
46

47 Mr. Garcia explained the need for the Refugio 3 Replacement Project. He reported that  
48 the Refugio 3 booster pump station serves as an inter-zone connection to move water  
49 supplies between Zones 2 and 3. Mr. Garcia stated that there is a horizontal in-line pump  
50 at the Refugio 3 booster pump station that is out of service and in need of replacement.  
51 He stated that staff is currently in the planning and design stages to replace and situate  
52 the pump and related appurtenances in an underground vault to be located within the  
53 existing public road right-of-way. Mr. Garcia reviewed the proposed California



1 Environmental Quality Act (CEQA) Notice of Exemption and provided reasoning for why  
2 the project is exempt under applicable provisions of CEQA and related CEQA Guidelines.  
3

4 a) Notice of Exemption

5 Mr. Garcia recommended approval of the Notice of Exemption (NOE) and requested  
6 authorization to post and file the NOE.  
7

8 It was **MOVED** by Trustee Clay, seconded by Trustee Burchardi, and carried by a 4-0-  
9 0 voice vote, with Trustee Holzer absent, to approve the CEQA Notice of Exemption  
10 for the Refugio 3 Booster Pump Station Replacement Project, and authorize the  
11 General Manager to sign and file the NOE with the Santa Barbara County Clerk  
12 Recorder's Office.  
13

14 2. Alamo Pintado Pedestrian Bridge

15 a) Notice of Completion

16 The Board packet included a Notice of Completion for the Alamo Pintado Pedestrian  
17 Bridge project.  
18

19 Mr. Garcia stated that the District's water pipeline work related to the CalTrans Alamo  
20 Pintado Pedestrian Bridge project is complete. He reported that Hanly Engineering did  
21 a great job working on behalf of the District and in conjunction with District staff and  
22 CalTrans personnel to install the new water line. Mr. Garcia recommended approval of  
23 the Notice of Completion and requested authorization to sign and file the Notice of  
24 Completion.  
25

26 It was **MOVED** by Trustee Burchardi, seconded by Trustee Urton, and carried by a 4-0-  
27 0 voice vote, with Trustee Holzer absent, to approve and authorize the General Manager  
28 to sign and file the Notice of Completion for the Alamo Pintado Pedestrian Bridge  
29 project.  
30

31 **10. REPORT, DISCUSSION, AND POSSIBLE BOARD ACTION ON THE FOLLOWING SUBJECTS:**  
32

33 **A. SUSTAINABLE GROUNDWATER MANAGEMENT ACT**

34 1. Eastern Management Area (EMA) Update  
35

36 The Board packet included the December 14, 2023 Notice and Agenda for the Regular  
37 Meeting of the Eastern Management Area Groundwater Sustainable Agency.  
38

39 Mr. Garcia reported on the December 14, 2023 meeting of the EMA GSA. He reviewed  
40 the topics discussed at the meeting, including a review of requests for written verifications  
41 for new well proposals, and updates on the SGMA governance and draft Joint Powers  
42 Agreement for the EMA. Mr. Garcia reported that the negotiating parties seem to have  
43 reached agreement on the criteria and process for appointment of an agricultural  
44 representative to the JPA Board, and that discussions are ongoing regarding interim cost  
45 sharing among EMA member agencies, and staffing issues for the new JPA. He reported  
46 that the next meeting of the EMA GSA is scheduled for January 25, 2024.  
47

48 **B. HEXAVALENT CHROMIUM (CR6) – PROPOSED MAXIMUM CONTAMINANT LEVEL (MCL)**

49 1. Update on SWRCB Proposed Drinking Water MCL for Cr6 of 10 parts per billion  
50

51 The Board packet included a California State Water Resources Control Board (SWRCB)  
52 15-Day Notice regarding Hexavalent Chromium MCL – Comment Period.  
53

1 Mr. Garcia reported that the SWRCB issued a 15-Day Notice regarding Hexavalent  
2 Chromium MCL on November 22, 2023 which was an invitation for further comment on  
3 the proposed MCL of 10 parts per billion. He also referenced the Notice of Public  
4 Availability of Changes, proposed regulation text, and Addendum to the Initial Statement  
5 of Reasons. Mr. Garcia indicated that this new public information suggests that the  
6 SWRCB is moving closer to adopting a new MCL for Hexavalent Chromium. Mr. Garcia  
7 reviewed the proposed regulatory text and explained that the comment period closed on  
8 December 15, 2023. He reported that the Association of California Water Agencies  
9 (ACWA) and a coalition of other water users have submitted an additional comment letter  
10 to the SWRCB requesting responses and answers to comments previously submitted by  
11 the water industry, which to date have not been provided by the SWRCB.

12  
13 Discussion ensued regarding the compliance period once the new MCL is adopted,  
14 compliance plans, the EIR process, treatment options, SWRCB responses to comments,  
15 health and safety issues, public outreach, and the potential effect on mutual water  
16 companies within the District boundaries.

17  
18 Mr. Garcia stated that staff continues to monitor the SWRCB's actions regarding the  
19 adoption of a new proposed Cr6 MCL, which may occur in early 2024, and will provide  
20 further information as it becomes available.

21  
22 **11. REPORTS BY THE BOARD MEMBERS OR STAFF, QUESTIONS OF STAFF, STATUS REPORTS,**  
23 **ANNOUNCEMENTS, COMMITTEE REPORTS, AND OTHER MATTERS AND/OR COMMUNICATIONS**  
24 **NOT REQUIRING BOARD ACTION:**  
25

26 Trustee Burchardi reported that he had attended the December 13, 2023 Los Olivos Community  
27 Services District (LOCSA) and provided a summary of the topics discussed at the meeting. He  
28 stated that the LOCSA is currently looking at treatment options and is looking to install three  
29 additional monitoring wells. He stated that he will continue to attend the meetings and provide  
30 further information once available.

31  
32 The Board packet included a December 11, 2023 News article titled "California poised to allow  
33 'toilet to tap' projects, in landmark water rule."  
34

35 The Board packet included the December 2023 Family Farm Alliance Monthly Briefing.  
36

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

38 The Correspondence List was received by the Board.  
39

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

41 There were no requests from the Board.  
42

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

44 President Clay stated that the next Regular Meeting of the Board of Trustees is scheduled for  
45 January 16, 2024 at 3:00 p.m.  
46

47 **15. CLOSED SESSION:**

48 The Board adjourned to closed session at 5:23 p.m.  
49

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

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

1 1. Name of Case: Adjudicatory proceedings pending before the State Water Resources  
2 Control Board regarding Permit 15878 issued on Application 22423 to the City of  
3 Solvang, Petitions for Change, and Related Protests  
4

5 2. Name of Case: Central Coast Water Authority, et al. v. Santa Barbara County Flood  
6 Control and Water Conservation District, et al., Santa Barbara County Superior Court  
7 Case No. 21CV02432  
8

9 **B. CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION**

10 [Subdivision (d)(2) of Section 54956.9 of the Government Code - Significant Exposure to  
11 Litigation Against the Agency - One Matter]  
12

13 **16. RECONVENE INTO OPEN SESSION:**

14 [Sections 54957.1 and 54957.7 of the Government Code]  
15

16 The Board reconvened to open session at approximately 6:14p.m. Mr. Garcia announced that  
17 the Board met in Closed Session in accordance with Agenda Items 15.A.1-2 and 15.B. He  
18 reported that there was no reportable action for Agenda Items 15.A.1-2, and 15.B.  
19

20 **17. ADJOURNMENT:**

21 Being no further business, it was **MOVED** by Trustee Burchardi, seconded by Trustee Joos, and  
22 carried by a 4-0-0 voice vote, with Trustee Holzer absent, to adjourn the meeting at approximately  
23 6:15 p.m.  
24

25 **RESPECTFULLY SUBMITTED,**

26  
27  
28  
29 \_\_\_\_\_  
30 Mary Robel, Secretary to the Board  
31

32 **ATTEST:** \_\_\_\_\_

33 Jeff Clay, President  
34  
35

36 **MINUTES PREPARED BY:**

37  
38  
39 \_\_\_\_\_  
40 Karen King, Board Administrative Assistant

**BOARD OF TRUSTEES  
SANTA YNEZ RIVER WATER CONSERVATION DISTRICT,  
IMPROVEMENT DISTRICT NO.1  
January 16, 2024**

**Consent Agenda Report**

CA-1. Water Supply and Production Report. Total water production in **December 2023 (167 AF)** was 40 AF lower than total production in **November 2023 (207 AF)**, 31 AF higher than the most recent 3-year running average (2021-2023) for the month of **December (136 AF)**, and 7 AF higher than the most recent 10-year running average (2014-2023) for the month of **December (160 AF)**. Generally speaking, the District's overall demands and total production have been trending well below historic levels for domestic, rural residential, and agricultural water deliveries due to water conservation, changing water use patterns, and private well installations.

For the month of **December 2023**, approximately **98 AF** was produced from the Santa Ynez Upland wells, and approximately **69 AF** was produced from the 6.0 cfs well field in the Santa Ynez River alluvium. As reflected in the Monthly Water Deliveries Report from the Central Coast Water Authority (CCWA), the District used **0 AF** of SWP supplies for the month. Direct diversions to the County Park and USBR were **0.89 AF**.

The USBR Daily Operations Report for Lake Cachuma in **December** (ending December 31, 2023) recorded the end of month reservoir elevation at **746.87'** with the end of month storage of **174,872 AF**. USBR recorded total precipitation at the lake of **5.16 inches** for the month. SWP deliveries to the reservoir for South Coast entities were **64.2 AF**. Reported reservoir evaporation in **December** was **314.7 AF**.

Based on the updated maximum storage capacity of 192,978 AF (previously 193,305 AF), as of **January 8, 2024** Cachuma reservoir was reported at **90.7%** of capacity, with then-current storage of **174,952 AF** (Santa Barbara County Flood Control District, Rainfall and Reservoir Summary). At a point when reservoir storage exceeds 100,000 AF, the Cachuma Member Units typically have received a full allocation. Conversely, a 20% pro-rata reduction from the full allocation is scheduled to occur in Water Years beginning at less than 100,000 AF, where incremental reductions may occur (and previously have occurred) at other lower storage levels. For the federal WY 2021-2022 (October 1, 2021 through September 30, 2022), USBR issued a 70% allocation, equal to 18,000 AF. ID No.1's 10.31% share of that allocation was 1,855 AF. In the Fall of 2022 when reservoir conditions were low, the Cachuma Member Units initially requested an approximate 15% Cachuma Project allocation for federal WY 2022-2023. By letter dated September 30, 2022, USBR issued an initial 0% allocation for WY 2022-2023. **Based on extraordinary rain conditions that filled and spilled the reservoir early this year, in February 2023 USBR issued a revised 100% Project allocation for WY 2022-2023. ID No.1's share of that allocation is 2,651 AF. By letter dated June 30, 2023 the Cachuma Member Units submitted a joint request for another 100% Cachuma allocation for WY 2023-2024. On July 10, 2023 USBR approved that request, which translates to another 2,651 AF for ID No.1.**

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

NMFS 2000 Biological Opinion

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

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

SWRCB Order WR 2019-0148

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

As of the end of **December 2022** (prior to the spill in January 2023), a total of approximately **49,653.3 AF** of Cachuma Project water had been released under regulatory requirements for the protection of fish and fish habitat below Bradbury Dam since the year after the 2011 spill. **For the months of January through December 2023, water releases for fishery requirements, spill conditions, and other operational purposes have been made from the Cachuma Project. Reclamation has indicated that it will provide an accounting of those releases.**

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

In 2022, the SWP Table A allocation for SWP Contractors was only 5 percent, which translated to 35 AF for ID No.1's share of Table A supplies through CCWA. As previously reported, by Notice to the SWP Contractors dated December 1, 2022, the California Department of Water Resources (DWR) issued an initial 2023 SWP Table A allocation of 5 percent, along with a provisional allocation of additional SWP supplies to certain Contractors to ensure the needs for human health and safety. **As a result of last year's extraordinary rain events, DWR declared the 2023 SWP Table A allocation at 100 percent for the first time since 2006.** The 2023 Table A allocation translated to 2,200 AF for ID No.1. Of that amount, 700 AF was available to ID No.1 and the remaining 1,500 AF was available under contract to the City of Solvang. **By notice to the State Water Contractors dated December 1, 2023 DWR has issued an initial 10 percent Table A allocation for 2024.** As explained last month, DWR's initial 10 percent allocation is based on the following rationale:

*Water year 2023 provided much-needed relief following three of the most severely dry years on record. However, water year 2024 is off to a slow start with precipitation amounts at about half of average in October and November. To make the initial 2024 allocation, DWR forecasts what water supplies will be available if the current dry pattern continues through the remainder of the water year 2024. As a result, DWR is initially allocating 10 percent of most SWP contractors' requested Table A amounts for 2024.*

*To determine the available SWP water supplies, DWR considers factors including SWP contractors' anticipated 2023 carryover supplies into 2024, projected 2024 demands, existing storage in SWP conservation facilities, estimates of future runoff, SWP operational and regulatory requirements from the Federal Endangered Species Act and California Endangered Species Act, and water rights obligations under the State Water Resources Control Board's authority. DWR may revise the SWP allocation if hydrologic conditions change.*

As reflected in the Agenda for the January 11, 2024 meeting of the CCWA Operating Committee, CCWA remains engaged in a variety of matters relating to the SWP, including but not limited to: SWP supplies and related SWP operations; facility improvements (i.e., water quality concerns, Santa Ynez Pipeline replacement); renewal of the Cachuma Project Warren Act contract; various water supply planning, storage, and transfer projects; and the CCWA Fiscal Year 2024-25 budget process. CCWA and its member agencies also remain engaged in their pending litigation against the Santa Barbara County Flood Control and Water Conservation District to maintain CCWA sovereignty over important decisions pertaining to SWP supplies. The next regular meeting of the CCWA Board of Directors is scheduled for January 25, 2024.



**BUREAU OF  
RECLAMATION**

Historical Archive and Report Database

**Lake Cachuma Daily Operations**

Run Date: 1/5/2024

December 2023

DAY	STORAGE ACRE-FEET			COMPUTED*	CCWA	PRECIP ON			RELEASE - AF.			EVAPORATION		PRECIP INCHES
	ELEV	IN LAKE	CHANGE			INFLOW AF.	INFLOW AF.	RES. SURF. AF.	TUNNEL	HILTON CREEK	OUTLET	SPILLWAY	AF.	
	746.47	173,714												
1	746.43	173,599	-115	-6.0	7.9	0.0	73.8	13.2	14.0	0.0	15.9	0.100	0.00	
2	746.39	173,484	-115	3.0	0.0	0.0	76.4	13.2	13.0	0.0	15.8	0.100	0.00	
3	746.36	173,398	-86	32.0	0.0	0.0	74.3	13.2	19.0	0.0	11.1	0.070	0.00	
4	746.33	173,311	-87	6.0	0.0	0.0	53.9	13.1	20.0	0.0	6.3	0.040	0.00	
5	746.29	173,196	-115	-27.0	0.0	0.0	46.9	13.2	20.0	0.0	7.9	0.050	0.00	
6	746.25	173,081	-115	-3.0	0.0	0.0	56.0	13.2	22.0	0.0	20.6	0.130	0.00	
7	746.22	172,995	-86	22.0	0.0	0.0	65.6	13.2	20.0	0.0	9.5	0.060	0.00	
8	746.19	172,880	-115	3.0	0.0	0.0	67.2	13.2	19.0	0.0	19.0	0.120	0.00	
9	746.14	172,765	-115	-12.0	0.0	0.0	66.8	13.2	10.0	0.0	12.6	0.080	0.00	
10	746.11	172,679	-86	13.0	0.0	0.0	63.6	13.1	10.0	0.0	12.6	0.080	0.00	
11	746.07	172,535	-144	-39.0	0.0	0.0	69.5	13.1	10.0	0.0	12.6	0.080	0.00	
12	746.05	172,506	-29	49.0	0.0	0.0	40.4	13.2	9.0	0.0	15.8	0.100	0.00	
13	746.02	172,420	-86	-5.0	0.0	0.0	52.0	13.1	10.0	0.0	6.3	0.040	0.00	
14	745.99	172,334	-86	11.0	0.0	0.0	59.8	13.1	10.0	0.0	14.2	0.090	0.00	
15	745.96	172,248	-86	10.0	0.0	0.0	60.7	13.1	10.0	0.0	12.6	0.080	0.00	
16	745.93	172,162	-86	5.0	0.0	0.0	48.8	13.1	10.0	0.0	18.9	0.120	0.00	
17	745.90	172,075	-87	-13.0	0.0	0.0	47.3	13.1	9.0	0.0	4.7	0.030	0.00	
18	745.89	172,047	-28	39.0	0.0	0.0	40.9	13.2	10.0	0.0	2.8	0.018	0.00	
19	745.89	172,047	0	9.0	4.6	45.4	36.1	13.1	10.0	0.0	0.0	0.000	0.19	
20	745.94	172,190	143	114.0	2.2	83.6	29.6	13.1	9.0	0.0	4.7	0.030	0.35	
21	746.17	172,851	661	121.0	5.7	577.1	19.8	13.2	10.0	0.0	0.0	0.000	2.41	
22	746.61	174,116	1,265	1,017.0	4.5	317.6	20.6	13.2	10.0	0.0	30.2	0.190	1.32	
23	746.69	174,348	232	277.0	11.9	0.0	20.9	13.2	10.0	0.0	12.7	0.080	0.00	
24	746.71	174,407	59	109.0	0.0	0.0	19.6	13.2	9.0	0.0	8.0	0.050	0.00	
25	746.71	174,407	0	54.0	0.0	0.0	19.2	13.3	10.0	0.0	11.1	0.070	0.00	
26	746.73	174,465	58	106.0	0.0	0.0	20.4	13.2	10.0	0.0	4.8	0.030	0.00	
27	746.73	174,465	0	41.0	3.4	2.4	20.1	13.3	9.0	0.0	4.8	0.030	0.01	
28	746.73	174,465	0	49.0	0.0	0.0	20.9	13.3	10.0	0.0	4.8	0.030	0.00	
29	746.75	174,523	58	105.0	0.0	2.4	19.7	13.3	10.0	0.0	6.4	0.040	0.01	
30	746.83	174,755	232	79.0	0.0	195.4	20.3	13.3	9.0	0.0	0.0	0.000	0.81	
31	746.87	174,872	117	130.0	24.0	14.5	20.5	13.3	10.0	0.0	8.0	0.050	0.06	
<b>TOTALS</b>			<b>1,158</b>	<b>2,299.0</b>	<b>64.2</b>	<b>1,238.4</b>	<b>1,351.6</b>	<b>408.8</b>	<b>371.0</b>	<b>0.0</b>	<b>314.7</b>	<b>1.988</b>	<b>5.16</b>	
<b>AVERAGE</b>		<b>173,278</b>												

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



# Santa Barbara County - Flood Control District

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

## Rainfall and Reservoir Summary

Updated 8am: 1/8/2024      Water Year: 2024      Storm Number: NA

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

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

Rainfall	ID	24 hrs	Storm 0day(s)	Month	Year*	% to Date	% of Year*	AI
Buellton (Fire Stn)	233	0.00	0.00	0.48	6.60	113%	40%	
Cachuma Dam (USBR)	332	0.00	0.00	0.54	6.14	92%	31%	
Carpinteria (Fire Stn)	208	0.00	0.00	0.47	7.47	126%	43%	
Cuyama (Fire Stn)	436	0.00	0.00	0.24	2.72	100%	35%	
Figueroa Mtn (USFS Stn)	421	0.00	0.00	0.71	4.94	65%	23%	9.3
Gibraltar Dam (City Facility)	230	0.00	0.00	0.47	10.24	116%	39%	7.4
Goleta (Fire Stn-Los Cameros)	440	0.00	0.00	0.33	5.83	89%	32%	
Lompoc (City Hall)	439	0.00	0.00	0.42	6.34	121%	43%	8.0
Los Alamos (Fire Stn)	204	0.00	0.00	0.35	6.06	116%	40%	
San Marcos Pass (USFS Stn)	212	0.00	0.00	0.79	12.16	101%	35%	
Santa Barbara (County Bldg)	234	0.00	0.00	0.46	8.22	130%	45%	
Santa Maria (City Pub. Works)	380	0.00	0.00	0.54	5.28	111%	40%	
Santa Ynez (Fire Stn /Airport)	218	0.00	0.00	0.51	5.50	100%	35%	
Sisquoc (Fire Stn)	256	0.00	0.00	0.45	4.56	86%	30%	

County-wide percentage of "Normal-to-Date" rainfall : **105%**

County-wide percentage of "Normal Water-Year" rainfall : **36%**

County-wide percentage of "Normal Water-Year" rainfall calculated assuming no more rain through Aug. 31, 2024 (End of WY2024).

**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 based on Dec 2021 capacity revision)

Click on Site for Real-Time Readings	Spillway	Current	Max.	Current	Current	Storage	Storage
	Elev. (ft)	Elev. (ft)	Storage (ac-ft)	Storage (ac-ft)	Capacity (%)	Change Mo.(ac-ft)	Change Year*(ac-ft)
<b><u>Gibraltar Reservoir</u></b>	1,400.00	1,399.41	4,693	4,562	97.2%	-111	1,380
<b><u>Cachuma Reservoir</u></b>	753.**	747.02	192,978	174,952	90.7%	379	-9,042
<b><u>Jameson Reservoir</u></b>	2,224.00	2,224.12	4,848	4,863	100.3%	3	79
<b><u>Twitchell Reservoir</u></b>	651.50	537.14	194,971	1,702	0.9%	202	-53,730

[Previous Rainfall and Reservoir Summaries](#)



California Irrigation Management Information System (CIMIS)

# CIMIS Daily Report

Rendered in ENGLISH Units.

Friday, December 1, 2023 - Monday, January 1, 2024

Printed on Tuesday, January 2, 2024

## Santa Ynez - Central Coast Valleys - Station 64

Date	ETo (In)	Prcp (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)
12/1/2023	0.09	0.00	289	7.9	67.3	35.8	52.1	94	29	60	38.5	4.2	100.1	62.3
12/2/2023	0.07	0.00	289	7.5	71.3	26.8	46.9	96	29	69	37.2	1.8	43.6	62.0
12/3/2023	0.04 R	0.00	190	8.5	67.6	29.6	45.9	98	47	81	40.4	1.2	28.1	61.5
12/4/2023	0.07	0.00	277	8.7	76.9	34.1	50.5	99	32	70	40.9	1.2	29.6	61.0
12/5/2023	0.08 R	0.00	289	7.3	84.4 Y	32.1	52.6	97	16	54	36.4	1.1	27.1	61.1
12/6/2023	0.07	0.00	285	9.2	71.9	33.3	49.6	95	37	76	42.3	2.1	50.4	61.3
12/7/2023	0.09	0.00	286	9.1	70.6	39.6	52.8	98	30	67	42.2	3.6	85.9	61.3
12/8/2023	0.07 R	0.00	293	6.6	69.6	29.3	46.5	98	28	61	33.8	1.7	41.7	61.2
12/9/2023	0.07 R	0.00	289	5.5	74.7	25.0	44.6	93	19	55	29.5	1.5	35.3	60.7
12/10/2023	0.07 R	0.00	274	5.5	78.0	26.7	46.9	93	10	50	29.4	1.2	29.9	60.2
12/11/2023	0.07 R	0.00	280	6.8	75.1	29.0	46.8	96	20	83	34.7	1.6	39.6	60.0
12/12/2023	0.07 R	0.00	284	7.3	71.0	28.3	44.6	98	30	72	36.3	1.4	34.7	59.9
12/13/2023	0.07 R	0.00	285	7.2	72.1	25.7	44.6	97	30	72	36.0	1.3	31.0	59.7
12/14/2023	0.07 R	0.00	276	6.1	76.0	26.7	45.9	98	22	58	32.0	1.4	33.5	59.4
12/15/2023	0.08 R	0.00	0	4.8	40.6 R	34.8	37.2	94	13	64	26.3	1.1	26.0	59.0
12/16/2023	0.08 R	0.00	270	5.2	80.5	28.9	50.3	80	13	41	27.9	1.5	36.2	59.0
12/17/2023	0.04 R	0.00	152	6.2	73.3	38.6	53.6	71	17	44	32.5	1.0	24.7	59.1
12/18/2023	0.02	0.07	60	11.8	64.1	52.8 Y	58.8 Y	89	39	70 Y	49.0 Y	1.9	46.6	59.3
12/19/2023	0.03	0.06	135	15.2 Y	65.7	54.5 Y	59.8 Y	97	73	87 Y	55.8 Y	1.8	43.6	59.7
12/20/2023	0.01	0.06	62	14.3 Y	61.8	53.9 Y	57.7 Y	97	78	88 Y	54.2 Y	3.9	94.6	60.3
12/21/2023	0.02	0.08 H	105	13.9 Y	62.0	53.3 Y	56.3	98	71	90 Y	53.4 Y	3.5	83.6	59.9
12/22/2023	0.04 R	0.02	200	13.5 Y	69.8	50.6 Y	57.3 Y	98	55	84 Y	52.5 Y	1.5	36.7	59.8
12/23/2023	0.05	0.01	217	12.5	64.1	50.3 Y	55.5	93	64	83	50.5	1.9	45.9	60.0
12/24/2023	0.06 R	0.01	272	10.7	66.0	39.7	51.7	98	53	82	46.4	1.6	38.4	60.2 Y
12/25/2023	0.05 R	0.01	237	9.3	68.6	36.3	47.3	99	42	83	42.5	1.3	31.3	59.9 Y
12/26/2023	0.04 R	0.01	196	10.7	65.6	38.8	49.5	100	60	89	46.4	1.1	26.0	59.2
12/27/2023	0.02	0.01	129	11.9	62.9	42.3	51.5	99	69	91	49.1	1.3	30.8	58.9
12/28/2023	0.05 R	0.00	232	11.3	69.9	38.9	51.2	100	55	87	47.7	1.3	31.7	58.8
12/29/2023	0.04	0.00	160	12.9	64.1	50.2	56.2	100	67	84	51.4	2.7	66.6	58.8
12/30/2023	0.04 R	0.01	202	12.7	63.2	46.4	53.7	99	68	90	50.8	1.8	44.2	59.1
12/31/2023	0.02	0.00	108	11.4	60.6	43.5	52.1	98	68	86	47.9	2.0	47.2	59.1 Y
Tots/Avg	1.69	0.35	214	8.4	68.7	37.9	50.6	95	41	73	41.7	1.8	44.0	60.1

## Santa Ynez - Central Coast Valleys - Station 64

Date	ETo (In)	Prcp (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)
1/1/2024	0.05 R	0.00	237	9.2	66.5	36.5	47.6	100	42	82	42.3	1.4	34.4	58.6 Y
Tots/Avg	0.05	0.00	237	9.2	66.5	36.5	47.6	100	42	82	42.3	1.4	34.4	58.6

Flag Legend		
A - Historical Average	I - Ignore	R - Far out of normal range
C or N - Not Collected	M - Missing Data	S - Not in service



**CENTRAL COAST WATER AUTHORITY**  
**MEMORANDUM**

**TO:** Ray Stokes, Executive Director  
Dessi Mladenova, Controller

**FROM:** Christine Forsyth, Administrative Assistant

**SUBJECT:** Monthly Water Deliveries

January 4, 2024

According to the CCWA revenue meters at each turnout, the following deliveries were made during the month of December 2023:

<u>Project Participant</u>	<u>Delivery Amount (acre-feet)</u>
Chorro .....	128.80
López.....	176.22
Shandon.....	0.00
Guadalupe.....	57.43
Santa Maria.....	450.82
Golden State Water Co.....	0.00
Vandenberg.....	199.32
Buellton .....	18.50
Solvang .....	63.91
Santa Ynez ID#1 .....	0.00
Bradbury.....	<u>77.68</u>
<b>TOTAL .....</b>	<b>1,172.68</b>

In order to reconcile these deliveries with the DWR revenue meter, which read 1,186 acre-feet, the following delivery amounts should be used for billing purposes:

<u>Project Participant</u>	<u>Delivery Amount (acre-feet)</u>
Chorro .....	130
López .....	178
Shandon.....	0
Guadalupe.....	58
Santa Maria.....	432*
Golden State Water Co.....	24*
Vandenberg .....	202
Buellton .....	19
Solvang .....	65
Santa Ynez ID#1 .....	0
Bradbury .....	<u>78</u>
<b>TOTAL .....</b>	<b>1,186</b>

\*Golden State Water Company delivered 24 acre-feet into its system through the Santa Maria turnout. This delivery is recorded by providing a credit of 24 acre-feet to the City of Santa Maria and a charge in the same amount to the Golden State Water Company.

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

The exchange water is allocated as follows

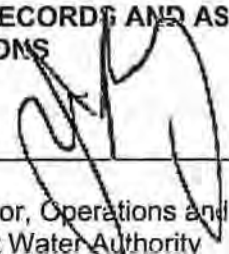
<u>Project Participant</u>	<u>Exchange Amount (acre-feet)</u>
Goleta	0
Santa Barbara	0
Montecito	0
Carpinteria	0
<b>TOTAL</b>	<b>0</b>

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	70
Montecito	0
Morehart	8
Santa Barbara	0
Raytheon	0
<b>TOTAL</b>	<b>78</b>

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

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

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



A REGULAR MEETING OF THE OPERATING COMMITTEE
of the
CENTRAL COAST WATER AUTHORITY

will be held at 9:00 a.m., on Thursday, January 11, 2024
at 255 Industrial Way, Buellton

Members of the public may participate by video call or telephone via
URL: https://meetings.ringcentral.com/j/1476583124
or via telephone by dialing 1 (623) 404-9000 and entering code 147 658 3124 #

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

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

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

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

- I. Call to Order and Roll Call
II. CLOSED SESSION
CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Government Code section 54956.9(d) (1)
Name of case: Central Coast Water Authority, et al. v. Santa Barbara County Flood Control and Water Conservation District, et al. (Case No. 21CV02432)
III. Public Comment – (Any member of the public may address the Committee relating to any matter within the Committee’s jurisdiction. Individual Speakers may be limited to five minutes; all speakers to a total of fifteen minutes.)
IV. \* Consent Calendar
A. Minutes of the July 13, 2023 Operating Committee Meeting
Staff Recommendation: Approve Consent Calendar.
V. Executive Director’s Report
A. Operations Update
Staff Recommendation: Informational item only.
B. Water Supply Situation Report
Staff Recommendation: Informational item only.
\* C. Pacheco Reservoir Expansion Project
Staff Recommendation: Informational item only.
\* D. Santa Ynez II Long-Term Project Overview
Staff Recommendation: Informational item only.
▲ E. Draft CCWA Water Transfer Administrative Policies
Staff Recommendation: Informational item only.
F. Warren Act Contract Renewal Update
Staff Recommendation: Informational item only.

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

Continued

\* Indicates attachment of document to agenda packet
▲ Additional materials related to the item will be posted at CCWA.com prior to meeting.

- \* G. FY 2024/25 Budget Preparation Schedule  
*Staff Recommendation: Informational item only.*
- \* H. The Economy of the State Water Project  
*Staff Recommendation: Informational item only.*

**VI. Reports from Committee Members for Information Only**

**VII. Date of Next Regular Meeting:** March 14, 2024

**VIII. Adjournment**



# Central Coast Water Authority

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

JAN  
**25**  
2024

## Board Meeting

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

[EMPLOYEE PORTAL \(HTTPS://CCWAPORTAL.SPECIALDISTRICT.ORG/#/\)](https://ccwaportal.specialdistrict.org/#/)

[BOARD MEMBER PORTAL \(HTTPS://CCWABOARDPORTAL.SPECIALDISTRICT.ORG/\)](https://ccwboardportal.specialdistrict.org/)

[PRIVACY POLICY \(/PRIVACY-POLICY\)](/privacy-policy)

[TRANSPARENCY \(TRANSPARENCY.HTML\)](transparency.html)

POWERED BY STREAMLINE ([HTTP://WWW.GETSTREAMLINE.COM/](http://www.getstreamline.com/)) | SIGN IN ([HTTPS://WWW.CCWA.COM/USERS/SIGN\\_IN?DESTINATION=%2F2024-01-25-BOARD-MEETING](https://www.ccwa.com/users/sign_in?destination=%2F2024-01-25-board-meeting))

**RESOLUTION NO. 841**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE  
SANTA YNEZ RIVER WATER CONSERVATION DISTRICT, IMPROVEMENT DISTRICT NO. 1  
AMENDING THE DISTRICT'S PERSONNEL POLICY MANUAL**

**WHEREAS**, the Board of Trustees previously adopted, and has subsequently updated and revised, by Resolutions, the Santa Ynez River Water Conservation District, Improvement District No.1 ("District") Personnel Policy Manual, which sets forth certain terms and conditions of employment for employees of the District; and

**WHEREAS**, the Board of Trustees desires to update and revise certain provisions of the Personnel Policy Manual, including but not limited to, revisions to ensure compliance with new and revised employment standards under federal and state law, as applicable; and

**WHEREAS**, the Board of Trustees has the authority to adopt updates, revisions, and amendments to the Personnel Policy Manual; and

**WHEREAS**, the Board of Trustees has reviewed the proposed revisions to the Personnel Policy Manual, including Section 1.9(c)(8) – Merit Increases, Section 1.9(c)(11) – Existing Employees, Section 3.4 – Sick Leave, and Section 3.6 – Pregnancy Related Disability, and the addition of Section 3.11 – Reproductive Loss Leave, which revisions and addition are attached hereto and incorporated herein by this reference.

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

1. Revisions to Section 1.9(c)(8) – Merit Increases, Section 1.9(c)(11) – Existing Employees, Section 3.4 – Sick Leave, Section 3.6 – Pregnancy Related Disability, and the addition of Section 3.11 – Reproductive Loss Leave, within the District's Personnel Policy Manual are approved, adopted, and incorporated into the personnel policies and procedures of the District.
2. Except where otherwise required by contract or law, the provisions of the District's Personnel Policy Manual shall apply to and govern the terms and conditions of employment of all current and future employees of the District, and a copy of the Personnel Policy Manual and any revisions and additions thereto shall be provided to all current employees of the District and shall be provided to all new employees immediately upon hire.
3. The General Manager, working in conjunction with his or her designee(s), is hereby authorized to implement the policies, provisions, and procedures of the District's Personnel Policy Manual.

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

**WE, THE UNDERSIGNED**, being the duly qualified President and Secretary, respectively, of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1, do hereby certify that the above and foregoing Resolution was duly and regularly adopted and passed by the Board of Trustees of said District at a Regular meeting held on January 16, 2024 by the following roll call vote:

AYES, and in favor thereof, Trustees:

NOES, Trustees:

ABSENT, Trustees:

---

Jeff Clay, President

ATTEST:

---

Mary Robel, Secretary to the Board of Trustees



STRADLING YOCCA CARLSON & RAUTH, P.C.

MEMORANDUM

TO: Mary Robel

FILE NUMBER: 102870-0001

FROM: Jeffrey A. Dinkin

DATE: January 10, 2024

SUBJECT: Suggested Revisions to Personnel Policy Manual

---

I have reviewed the District's Personnel Policy Manual and have the following five suggested revisions based on an assessment of existing policies and changes in the law since the last review of the Manual.

**Section 1.9(c)(8) Merit Increases:** For employees at the top step of their salary range, the only increase they receive as a matter of course is cost of living increases as that moves the top step of their range. Currently only the Board can grant them a merit increase. The General Manager would like the authority to award employees at the top step of their range a merit increase of 2.5%, which is the amount of a step increase but it is awarded as a lump sum and does not increase their regular salary. To do this, the following redlined changes at Section 1(8) of the Manual is proposed:

“The General Manager may recommend to the Board of Trustees that one or more employees be awarded a merit or incentive-based increase provided such action is not inconsistent with previously adopted actions of the Board of Trustees. ~~Except as provided below,~~ ~~The~~ Board of Trustees has the sole discretion to determine whether to award any recommended merit or incentive-based increases to employees, which increases shall be consistent with the steps within each salary range. ~~To incentivize future performance and to the extent funds are available in the approved budget, the General Manager has the authority to award merit increases of up to 2.5% of the employee’s annual salary to employees that have been at the top step of their salary range for at least 12 months.”~~”

**Section 1.9(c)(11) Existing Employees:** This provision addressed the situation when salary ranges were established and there were employees whose then-current salary was above the top step of that salary range. Rather than reduce their salary, it was frozen (Y-rated) until such time that adjustments to the salary range caught up to the employee's salary. There are no longer any Y-rated employees and this section can be deleted.

~~Existing Employees – Employees of the District employed at the time of adoption of this Manual whose salary exceeds the F1 step for their classification shall retain their existing salary (Y-rated) and be eligible for cost of living adjustments and merit increases. Y-rated employees shall not be eligible for a step increase until their rate of compensation is within the established range for their classification. Employees of the District employed at the time of adoption of this Manual whose salary is less than the F1 step for their classification shall, at their next anniversary date, have their salary adjusted to the step in their classification which is closest to, but higher than, their existing salary.~~

**Section 3(4) Sick Leave:** New legislation increased the amount of sick leave that can be used by certain employees as well as the amount of sick leave that can be carried over to the next year. Only limited service, temporary and casual employees are affected by this change. But it requires revisions to Section 3(4) of the Manual, where the second paragraph of that Section will read as follows with the changes redlined:

"Limited Service, Temporary and Casual employees eligible for paid sick leave may use accrued paid sick leave up to a maximum of ~~twenty-four~~forty (240) hours per year. Unused accrued sick leave will carry over to the following year up to a maximum of ~~forty-eight~~eighty (4880) hours for Limited Service, Temporary and Casual employees. For purposes of this policy, the "year" for Limited Service, Temporary and Casual employees hired on or before July 1, 2015 is July 1 through June 30, and the "year" for employees hired after July 1, 2015 begins on their first day of employment (their "anniversary date")."

**Section 3(6) Pregnancy-Related Disability:** New federal legislation set a standard for accommodating employees with pregnancy-related disabilities in certain situations. To ensure that this new standard is adhered to, the following redlined sentence would be added to the provision in the Manual at Section 3(6), fourth bullet point, to address such accommodations.

"Except as otherwise specifically provided in this section, generally, SYRWCD ID#1 is required to treat pregnancy disability the same as SYRWCD ID#1 treats other disabilities of similarly situated employees. However, even if the employee is unable to perform an essential function of her job for a temporary period due to pregnancy, childbirth or related medical condition, reasonable accommodation will be provided so long as she can perform the essential function in the near future and doing so would not cause undue hardship. The leave will be unpaid."

**Section 3(11) Reproductive Loss Leave:** New state legislation requires that employers provide employees time off for "reproductive loss leave." Accordingly, it is recommended that the following Section 3(11) be added to the Manual.

"SYRWCD ID#1 will provide up to 5 days of reproductive loss leave following a reproductive loss event which is defined as the day or, for a multiple-day event, the final day of a failed adoption, failed surrogacy, miscarriage, stillbirth, or an unsuccessful assisted reproduction. Reproductive loss leave is unpaid. Employees can use their accrued and available paid sick leave and vacation during the leave. The leave must be taken within 3 months of the event or within 3 months of the end date of any related leave entitlement. The days off can be nonconsecutive. If an employee experiences more than one reproductive loss leave event within a 12-month period, the total amount of the leave cannot exceed 20 days within a 12-month period. SYRWCD ID#1 will maintain employee confidentiality related to reproductive loss leave. Retaliation against employees for using reproductive loss leave or giving information or testimony as to their or another person's reproductive loss leave in any inquiry or proceeding is strictly prohibited."

**Public Notice for Board of Trustees Vacancy**  
**Santa Ynez River Water Conservation District,**  
**Improvement District No.1**

The Santa Ynez River Water Conservation District, Improvement District No.1 ("ID No.1" or "District") hereby provides public notice that a vacancy has arisen for Division 1 of the District's Board of Trustees. In accordance with Water Code section 75166.2, vacancies on the District's Board of Trustees are filled by appointment by the Board of Directors for the Santa Ynez River Water Conservation District ("SYRWCD").

The ID No.1 Board of Trustees is responsible for establishing the policy and direction of the District. The Board consists of five representatives, four of whom are elected by division and one of whom is elected at-large. The individual appointed to fill the current vacancy will serve until a new Division 1 Trustee is elected and qualified through the next general election process scheduled for November 5, 2024. The appointed individual may run in that election process for Division 1.

Individuals interested in being considered for appointment to the Division 1 seat on the ID No.1 Board through November 2024 must submit a written application on the form available from ID No.1. Application forms can be obtained by contacting ID No.1 via telephone at (805) 688-6015, via email at [general@syrwd.org](mailto:general@syrwd.org), or by visiting ID No.1's website at [www.syrwd.org](http://www.syrwd.org). Completed application forms must be received by ID No.1 no later than January 12, 2024 at 5:00 p.m. For purposes of this appointment, Water Code section 75166.2 requires the Trustee for Division 1 to be a registered voter and holder of title to land in Division 1 of the District. A map of the ID No.1 Division boundaries is included with this notice. Applicants previously convicted of certain felony crimes may not be eligible to hold public office in California.

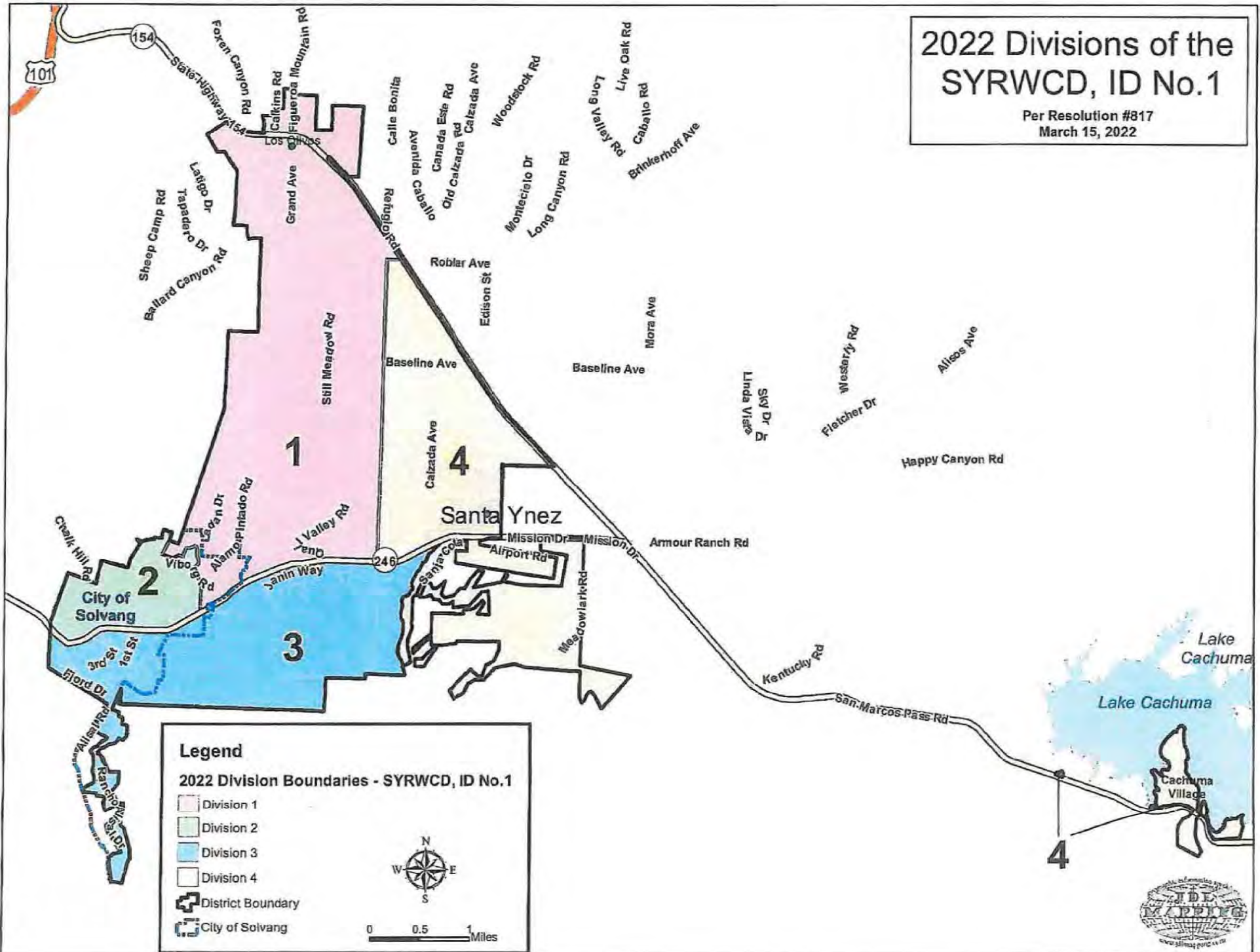
Public meetings of ID No.1 and the SYRWCD will be held sometime after January 12, 2024 to consider applications and make an appointment to fill the Division 1 vacancy for the ID No.1 Board of Trustees. The date(s) and time(s) of those meetings will be determined and noticed by ID No.1 and SYRWCD.

For more information, please contact: Paeter Garcia, General Manager, or Mary Robel, Secretary to the Board of the Santa Ynez River Water Conservation District, Improvement District No.1, by mail at P.O. Box 157, Santa Ynez, CA 93460, by phone at (805) 688-6015, or via email at [general@syrwd.org](mailto:general@syrwd.org).

Notice Posting Date: December 26, 2023

# 2022 Divisions of the SYRWCD, ID No.1

Per Resolution #817  
March 15, 2022



**APPLICATION FOR APPOINTMENT – DIVISION 1**  
**Board of Trustees of the Santa Ynez River Water Conservation District,**  
**Improvement District No.1**

If you are interested in serving on the Board of Trustees for Division 1 of the Santa Ynez River Water Conservation District, Improvement District No.1, please complete this application form and return it to: Santa Ynez River Water Conservation District, Improvement District No.1, Attention Mary Robel, Secretary to the Board of Trustees, by mail at P.O. Box 157, Santa Ynez, CA 93460, at our ID No.1 Office Dropbox at 3622 Sagunto Street, Santa Ynez, or via email at [general@syrwd.org](mailto:general@syrwd.org). **Applications must be received by ID No.1 no later than January 12, 2024 at 5:00 p.m.** For questions regarding this form, please call (805) 688-6015.

Name: \_\_\_\_\_  
 Residence Address: \_\_\_\_\_  
 Business or Mailing Address: \_\_\_\_\_  
 Phone: (Home): \_\_\_\_\_ (Office): \_\_\_\_\_ (Cell) \_\_\_\_\_  
 E-Mail: \_\_\_\_\_

EDUCATION			
Institution	Major	Degree	Year

(Please use additional page if more space is needed)

WORK / VOLUNTEER EXPERIENCE				
Organization	City	Position	From	To

(Please use additional page if more space is needed)

**Statement of Qualifications:** (Please briefly describe your qualifications and why you are interested in serving on the ID No.1 Board of Trustees. Please use an additional page if more space is needed.)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Are You a Registered Voter in Division 1 of ID No.1:** Yes \_\_\_ No \_\_\_

**Are You a Holder of Title to Land in Division 1 of ID No.1:** Yes \_\_\_ No \_\_\_

**Please Attach Separate Page Identifying a Minimum of Three (3) Professional or Personal References, Including Affiliations, Periods Known, and Daytime Telephone Numbers**

**NOTICE AND AGENDA OF REGULAR MEETING**

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

**HELD AT  
SANTA YNEZ COMMUNITY SERVICES DISTRICT, BOARD ROOM  
1070 FARADAY STREET, SANTA YNEZ, CALIFORNIA  
6:30 P.M., THURSDAY, DECEMBER 14, 2023**

Director Steve Jordan will be attending the meeting via teleconference from the following location: El Dorado Country Club, 46000 Fairway Drive, Indian Wells, CA 92210. Members of the public may join Director Jordan at that location.

---

**Optional remote public participation is available via Telephone or ZOOM**

To access the meeting via telephone, please dial: 1-669-444-9171  
or via the Web at: <http://join.zoom.us>

“Join a Meeting” - **Meeting ID 867 6279 8842 Meeting Passcode: 607621**

\*\*\* Please Note \*\*\*

The above teleconference option for public participation is being offered as a convenience only and may limit or otherwise prevent your access to and participation in the meeting due to disruption or unavailability of the teleconference line. If any such disruption of unavailability occurs for any reason the meeting will not be suspended, terminated, or continued. Therefore in-person attendance of the meeting is strongly encouraged.

---

**AGENDA OF REGULAR MEETING**

1. Call to Order and Roll Call
2. Additions or Deletions to the Agenda
3. 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 comment 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 comments item.)
4. Review and consider approval of meeting minutes of November 16, 2023
5. Review and Consider Requests for EMA GSA Written Verifications under Executive Order N-7-22 revised under Executive Order N-5-23 in the EMA for the following parcels:
  - a. APN 137-100-062 1250 Roble Blanco Rd., Solvang, CA (Desser)
  - b. APN 137-390-003 1235 Quail Ridge Rd., Solvang, CA (Liebman)
6. Update on SGMA Governance and Draft Joint Powers Agreement for the EMA
7. Update on WY 2022-2023 EMA Annual Report
8. Receive update on Proposition 68 Grant Award
  - a. Official Receipt of Grant Check - Ceremony (Place and Time TBD)
9. Next EMA GSA Committee Special Meeting, Thursday, January 25, 2024, at 6:30 PM, Santa Ynez CSD
10. Next EMA GSA Committee Regular Meeting, Thursday, February 22, 2024, at 6:30 PM, Santa Ynez CSD
11. EMA GSA Committee reports and requests for future agenda items.
12. Adjournment

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

**NOTICE AND AGENDA OF JOINT SPECIAL MEETING OF THE GSA COMMITTEES  
FOR THE FOLLOWING AGENCIES**

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

**AND**

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

**AND**

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

**WILL BE HELD AT  
BUELLTON CITY COUNCIL CHAMBERS  
140 WEST HIGHWAY 246, BUELLTON, CALIFORNIA**

**AT 10:00 A.M., FRIDAY, JANUARY 5, 2024**

---

WMA GSA Committee Member and EMA GSA Alternate Committee Member Steve Jordan will be attending the meeting via teleconference from the following location: 46250 East El Dorado, Indian Wells, CA 92210. Members of the public may join Director Jordan at that location.

---

**Optional remote public participation is available via Telephone or ZOOM**

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

**“Join a Meeting” - Meeting ID: 878 3628 1693 Meeting Passcode: 538074**

**\*\*\* Please Note \*\*\***

The above teleconference option for public participation is being offered as a convenience only and may limit or otherwise prevent your access to and participation in the meeting due to disruption or unavailability of the teleconference line. If any such disruption of unavailability occurs for any reason the meeting will not be suspended, terminated, or continued.

Therefore in-person attendance of the meeting is strongly encouraged.

---

**AGENDA OF JOINT SPECIAL MEETING**

- 1. Call to Order**
- 2. Roll Call**
- 3. Consider Appointment of Moderator to Facilitate Joint GSA Meeting**
- 4. Public Comment** (Any member of the public may address the Committees relating to any non-agenda matter within the Committees' jurisdictions. The total time for all public comment shall not exceed fifteen minutes and the time allotted for each individual shall not exceed five minutes. No action will be taken by the Committees at this meeting on any public comment item.)

5. **Review and endorse the Action Plan for Management of All Well Production Along the Lower Santa Ynez River, Above the Lompoc Narrows, as response to SWRCB staff comments received on CMA, EMA, and WMA GSPs for posting on SGMA Portal.**
  - a. Central Management Area GSA
  - b. Eastern Management Area GSA
  - c. Western Management Area GSA
6. **Update Proposition 68 Grant Award Presentation**
7. **Next GSA Tentative Special Meetings**
  - a. CMA: Monday, January 22, 2024, at 10:00 a.m. at Buellton City Council Chambers, 140 West Highway 246, Buellton, California
  - b. WMA: Wednesday, January 24, 2024, at 10:00 a.m. at Village Community Services District, Meeting Room, 3745 Constellation Rd, Lompoc, California
  - c. EMA: Thursday, January 25, 2024, at 6:30 p.m. at Santa Ynez Community Services District Meeting Room, 1070 Faraday Street, Santa Ynez, California
8. **GSA Committee Comments**
9. **Adjournment**

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



## STAFF MEMORANDUM

DATE: January 4, 2024

TO: WMA GSA Committee; CMA GSA Committee; EMA GSA Committee

FROM: GSA Agency Staff Members

SUBJECT: Recommended Further Response to SWRCB Staff Comments on the Santa Ynez GSPs' Characterization of Santa Ynez River Alluvium Above the Narrows

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### Background:

The Groundwater Sustainability Plans (GSPs) for the Western Management Area (WMA), Central Management Area (CMA) and Eastern Management Area (EMA) each characterize a portion of the lower Santa Ynez River and its underflow – extending from Bradbury Dam to the Lompoc Narrows – as a surface water system that exists in parallel with the groundwater system of the Basin. In accordance with the Sustainable Groundwater Management Act (SGMA), the GSPs characterize and demarcate the surface water system based on best available science and data.

State Water Resources Control Board (“State Board”) staff provided the California Department of Water Resources (“DWR”) with a comment letter, dated April 14, 2023 (“SWRCB Staff Comments”), regarding all three GSPs’ characterization of the subsurface water in River Alluvium above the Lompoc Narrows. The WMA, CMA and EMA GSAs subsequently provided DWR with a joint legal and technical response to the SWRCB Staff Comments, dated August 11, 2023.

### Action Plan:

DWR, State Board and the GSA representatives had two meetings to discuss said comments and response to comments. Based on said discussions, GSA agency staff members and counsel prepared the attached “Action Plan for Management of All Well Production Along the Lower Santa Ynez River, Above the Lompoc Narrows” (“Action Plan”). The Action Plan states as objectives:

“The Groundwater Sustainability Agencies (GSAs) for the WMA, CMA, and EMA are committed to ensuring that all well production in the Basin is accounted for, quantified, reported to the appropriate regulatory agency or agencies, and managed in a sustainable and responsible manner. As a corollary, the GSAs are committed to the goal of ensuring that all well production and well owners in the Santa Ynez River Alluvium Area are registered and reporting to the applicable GSA, or to the State Water Resources Control Board (State Board), and the Santa Ynez River Water Conservation District (SYRWCD).”

The Action Plan then provides for programmatic approach to achieve these objectives, which includes the GSAs’ implementation of the following actions:

- (1) Identification of existing wells located in the Above Narrows Alluvium Area, including wells registered with SYRWCD and identified in statements of water diversion and use filed with the State Board;
- (2) Arranging at least 2 educational workshops per year during the next 2 years to educate all well owners and producers in the Above Narrows Alluvium Area with the goal of ensuring that all such diversions are properly reported to the applicable GSA or to the State Board, and SYRWCD, as applicable;
- (3) Conducting of further analysis of Airborne Electromagnetic (AEM) surveys and interconnected surface and groundwater systems; and
- (4) Inclusion of relevant information obtained in future GSP Annual Reports and Periodic Evaluations.

DWR has encouraged the GSAs to post the Action Plan to the DWR SGMA Portal ("Portal") as a further response to comments that DWR can reference in its plan review.

**Recommendation:**

Staff recommends that each of the GSA Committees approve and authorize the SGMA Point of Contact or his designee to transmit to DWR and post to the Portal the enclosed Transmittal Letter and Action Plan, in substantially the form presented, as a further response to SWRCB Staff Comments on behalf of the WMA, CMA and EMA GSAs.

**SANTA YNEZ RIVER VALLEY BASIN GSAS**

January 5, 2024

Monica Salais  
GSP Review Section Manager  
Sustainable Groundwater Management Office  
Department of Water Resources  
[Monica.Reis@water.ca.gov](mailto:Monica.Reis@water.ca.gov)

Shane Edmunds  
GSP Review Section Manager  
Sustainable Groundwater Management Office  
Department of Water Resources  
[Shane.Edmunds@water.ca.gov](mailto:Shane.Edmunds@water.ca.gov)

**RE: SANTA YNEZ RIVER VALLEY GROUNDWATER SUSTAINABILITY PLANS,  
GROUNDWATER BASIN NO. 3-015 – ACTION PLAN**

Dear GSP Review Section Managers Salais and Edmunds:

This letter is provided as a further response to comments on behalf of the Groundwater Sustainability Agencies (“GSAs”), the Western Management Area (“WMA”), Central Management Area (“CMA”) and Eastern Management Area (“EMA”) GSAs, which collectively cover Basin No. 3-015 (“Basin”) and are responsible for providing sustainable groundwater management of the Basin as required by the Sustainable Groundwater Management Act (“SGMA”).

As background, State Water Resources Control Board (“State Board”) staff provided comments dated April 14, 2023, to the California Department of Water Resources (“DWR”) on the three Santa Ynez River Valley Groundwater Sustainability Plans (“GSPs”) for the Basin concerning the GSPs’ characterization of subsurface water within the Santa Ynez River Alluvium above the Lompoc Narrows (“Santa Ynez Alluvium Area”) as river underflow and not “groundwater” as defined by SGMA. The three GSAs that prepared the GSPs then provided DWR with a joint letter, dated August 11, 2023, addressing the State Board staff comments.

Representatives from DWR, the State Board, and the GSAs then met to discuss the comments and response to comments. As a result of those meetings the GSAs developed the enclosed “Action Plan for Management of All Well Production Along the Santa Ynez River, Above the Lompoc Narrows” (“Action Plan”), which includes various actions intended to, among other

things, achieve the goal of educating, gaining additional information, and ensuring that all well production and well owners in the Santa Ynez Alluvium Area are registered and reporting to the applicable GSA, State Board, and the Santa Ynez River Water Conservation District. Based on DWR's recommendation, the GSAs have approved and authorized submission of the Action Plan as a further response to comments that address the State Board's concerns.

The GSAs remain committed to ongoing coordination with DWR and the State Board to ensure that surface and groundwater system interactions along the lower Santa Ynez River are fully addressed and managed by the GSAs in accordance with SGMA and other applicable authorities and wish to thank DWR and the State Board for their assistance with this matter.

Very truly yours,

A handwritten signature in black ink, reading "William J. Buelow". The signature is written in a cursive, flowing style.

William J. (Bill) Buelow, SGMA Point of Contract  
For the WMA, CMA, and EMA GSAs

Enclosure

## **Action Plan for Management of All Well Production Along the Lower Santa Ynez River, Above the Lompoc Narrows**

In the Santa Ynez River Valley Groundwater Basin (Basin), the Groundwater Sustainability Plans (GSPs) for the Western Management Area (WMA), Central Management Area (CMA) and Eastern Management Area (EMA) each characterize a portion of the lower Santa Ynez River and its underflow – extending from Bradbury Dam to the Lompoc Narrows – as a “surface water” system that exists in parallel with the “groundwater” system of the Basin. In accordance with the Sustainable Groundwater Management Act (SGMA), the GSPs characterize and demarcate the surface water system based on best available science and data.

The Groundwater Sustainability Agencies (GSAs) for the WMA, CMA, and EMA are committed to ensuring that all well production in the Basin is accounted for, quantified, reported to the appropriate regulatory agency or agencies, and managed in a sustainable and responsible manner. As a corollary, the GSAs are committed to the goal of ensuring that all well production and well owners in the Santa Ynez River Alluvium Area are registered and reporting to the applicable GSA, or to the State Water Resources Control Board (State Board), and the Santa Ynez River Water Conservation District (SYRWCD).

The following Action Plan provides the foundation of a programmatic approach to achieve these objectives.

1. The GSAs will prepare and publish for public review a detailed illustration of the surface water system that is demarcated in each of the GSPs for the WMA, CMA, and EMA (referred to as the “Above Narrows Alluvium Area”).
2. The GSAs will identify all existing wells located within the Above Narrows Alluvium Area.
3. The GSAs will specifically identify all wells in the Above Narrows Alluvium Area that are currently registered and reporting to the SYRWCD. (See, e.g., SYRWCD 45<sup>th</sup> Annual Report, Section 2.4 [reflecting 242 Active Wells and 68 Inactive Wells in Zone A].)
4. The GSAs will specifically identify all wells in the Above Narrows Alluvium Area that are currently registered and reporting to the SYRWCD, and those that also are claiming surface water production to the State Board, as reflected in the State Board’s Electronic Water Rights Information Management System (eWRIMS) database.
5. The GSAs will arrange educational workshops (at least two per year for the next two years) to educate all well owners and producers in the Above Narrows Alluvium Area with the goal of ensuring that all such diversions are properly reported to the applicable GSA, or to the State Board, and SYRWCD.

The GSAs will:

- Mail notices regarding the workshops to all well owners and producers in the Above Narrows Alluvium Area that report to the SYRWCD.
  - Post and publish notice of the workshops at locations throughout the boundaries of the GSAs.
  - Explain the importance of monthly and annual measuring and reporting for each subsurface diversion, including upcoming well registration and reporting programs under SGMA, and filing of Statements of Water Diversion and Use with the State Board.
  - Provide information and direction on how to prepare and file Statements of Water Diversion and Use.
  - Explain the consequences of not reporting subsurface diversions, including potential management and/or investigation by a GSA, the State Board, or the SYRWCD, potential penalties, and enforcement actions.
6. Annual Reports by the GSAs will include an update on these educational workshops and other outreach to well owners and producers in the Above Narrows Alluvium Area, along with a summary of information obtained through the ongoing Action Plan process.
  7. At the Periodic Evaluation, the GSPs will be revised, as appropriate, in light of new information developed and new well registration and reporting programs in place based on actions by the GSAs under the ongoing Action Plan process.
  8. In conjunction with actions by the GSAs, the SYRWCD will continue its robust programs for the Above Narrows Alluvium Area, including well registration, well production reporting and production charges, and coordination of releases from the Cachuma Project for underflow alluvial storage and replenishment per applicable State Board Orders.
  9. The GSAs will further analyze the Airborne Electromagnetic (AEM) surveys conducted throughout the Basin and incorporate them into the Periodic Evaluations of the GSPs.
  10. The GSAs will further analyze and define the interconnection of surface and groundwater systems as described in the GSPs.
  11. The GSAs remain committed to ongoing coordination with DWR and the State Board to ensure that surface and groundwater system interactions along the lower Santa Ynez River are fully addressed and managed by the GSAs in accordance with SGMA and other applicable authorities.



CENTRAL COAST WATER AUTHORITY

MEMORANDUM

January 4, 2024

**TO:** CCWA Operating Committee  
**FROM:** John Brady  
Deputy Director, Operations and Engineering  
**SUBJECT:** Santa Ynez II Long-Term Project Overview

A portion of the CCWA pipeline from the Santa Ynez Pumping Plant and Lake Cachuma was constructed in the 1960's within the Santa Ynez Riverbed (Reach SYII). Prior to CCWA purchasing this portion of the pipeline in the mid-1990's, an assessment of the pipeline's remaining service life was completed and the assessment suggested a remaining service life of approximately 20 years. CCWA staff have been closely monitoring the condition of the pipeline and have not observed any significant issues with the pipeline. However, due to the pipeline exceeding the 20-year service life that was estimated prior to acquisition of the pipeline, a long-term plan is needed for Reach SYII. Any project to replace this section of the pipeline will involve significant time and effort to fund, permit, design and construct. This project will begin the development of a long-term plan so that the pipeline can be replaced in the most cost-effective manner and allow time to arrange for financing, environmental review, design and permitting.

Another consideration for the long-term plan for reach SYII is the current use of a high density polyethylene (HDPE) pipeline that was installed to specifically by-pass the Bradbury Dam Penstock, which is the original delivery point for CCWA water. This project will also include planning for replacing this temporary pipeline with a permanent bypass pipeline as the first of multiple phases of the Reach SYII replacement project. An additional aim of the project is to be in position to take advantage of the US Bureau of Reclamation plan to install a pipeline across the Stilling Basin. It is contemplated that CCWA will combine efforts with the Bureau to build a CCWA pipeline alongside the Bureau's pipeline across the Stilling Basin as well.

The attached proposals outline the scope of work by CCWA's engineering consultant, HDR Engineering, and environmental consultant, Stantec, in carrying out the preliminary long-term plan.

Attachments



December 6, 2023

Mr. John Brady  
Engineering Manager  
Central Coast Water Authority

Via email: [jlb@ccwa.com](mailto:jlb@ccwa.com)

Subject: Bradbury Dam Permanent Bypass Pipeline – Conceptual Study

Dear John,

HDR is pleased to provide this proposal to investigate upgrades to the CCWA pipeline that currently delivers water to Lake Cachuma.

The existing pipeline leading to Lake Cachuma is approximately 60 years old, is subject to erosion damage, and is difficult to access. At the Bradbury Dam, an above-grade bypass pipeline has been installed which is high-risk and high-maintenance. This study will provide the bases for a program of upgrades to replace this critical pipeline with facilities that meet the needs of CCWA, its member agencies, and other stakeholders. With subconsultant Stantec Consulting Services, the study will investigate the alignment, determine environmental and permitting issues, and provide planning-level estimates of cost and schedule. The study will be performed under the terms and conditions of our annual agreement, with a not-to-exceed budget per the attached Fee Estimate. A detailed scope of work for this study is attached.

HDR appreciates the opportunity to provide a proposal for this very important study. If there are any questions about this proposal, please don't hesitate to contact Dan Ellison or John Coffman.

Sincerely,  
HDR Engineering, Inc.

Anna Lantin, PE  
Vice President

Dan Ellison, PE  
Project Manager

Enclosures: Scope, Fee Estimate

Copy w/enc: John Coffman



## Bradbury Dam Permanent Bypass Pipeline – Conceptual Study

**Study Objective:** Develop a conceptual design for a permanent pipeline for delivering State Water Project water from Central Coast Water Authority (CCWA) to Lake Cachuma, without the use of the Bradbury Dam penstock and the Santa Ynez Distribution Pipeline.

Currently, CCWA relies on the Santa Ynez Distribution Pipeline for delivering water to the lake. There are several concerns and problems associated with this existing pipeline:

- (1) The pipeline is approximately 60 years old, constructed in the early 1960s.
- (2) The pipeline was designed to deliver gravity-flows from the lake. Delivering pumped-flows to the lake requires higher pressures and potentially more pressure cycles.
- (3) The pipeline is adjacent to the Santa Ynez River, which has historically exposed and damaged the pipeline during high-flow events.
- (4) The river channel is habit for steelhead trout and other sensitive species. Any work to repair or “harden” the pipeline along the river requires the approvals of multiple agencies.
- (5) The pipeline is on privately owned property and not easily accessed.
- (6) A portion of the pipeline near and below Bradbury Dam can no longer be used by CCWA, because flows from the lake to the Hilton Creek fishery take precedence. This has forced CCWA to install a problematic, above-grade bypass pipeline.

The current concept for the bypass pipeline is shown (in blue) in Figure 1 and involves 5.3 miles of pipeline constructed in three phases. The first phase of work would involve a short segment with a channel crossing to be constructed in coordination with Bureau of Reclamation work. Much of the bypass pipeline would be constructed within the SR 154 right of way.

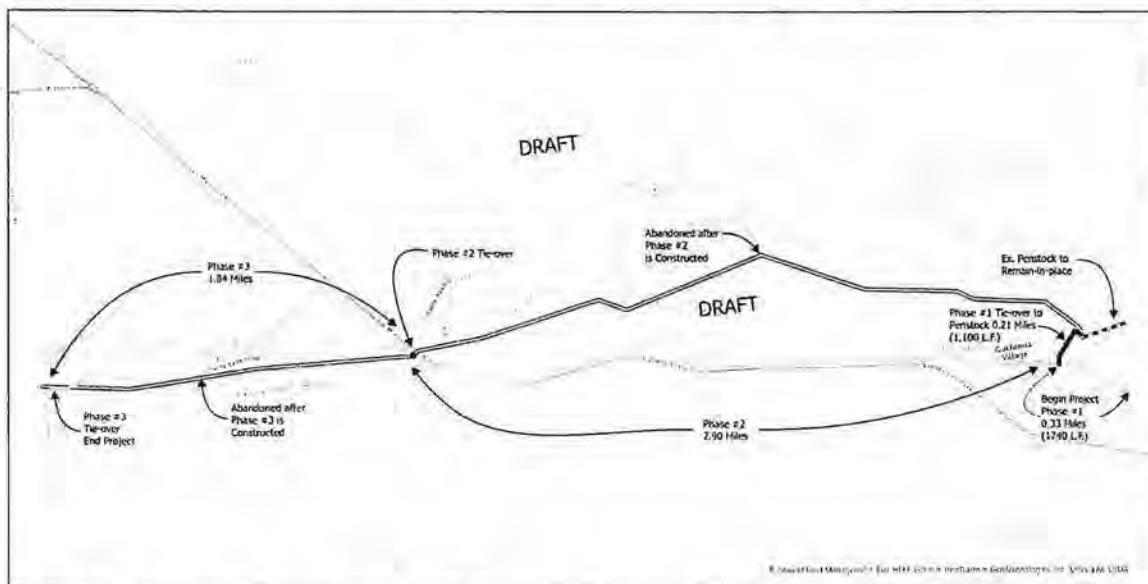


Figure 1: Concept of Bradbury Dam Permanent Bypass Pipeline

## Scope of Services

HDR will perform the following services:

1. Project Administration. HDR will perform general project management and coordination activities, including quality-control documentation, invoicing, and project communications / coordination.
2. Workshops. HDR will facilitate and lead the following meetings. These meetings will be held at CCWA headquarters in Buellton.
  - a. Kickoff / Site Review
  - b. Working group: CCWA, Bureau of Reclamation, South Coast member agencies, and COMB

Deliverables: Meeting agenda and minutes for the above two meetings

3. Project Report.
  - a. Report objectives. HDR will prepare a report that describes:
    - o General pipeline alignment
    - o Project phasing
    - o Methods of construction
    - o Permits required
    - o CEQA / NEPA requirements
    - o Locations where private easements are needed
    - o Planning-level cost opinion
    - o Planning-level schedule of activities
  - b. Pipeline alignment and hydraulic profile. The pipeline alignment will be generally depicted using graphics and information readily available from Google Earth, Google Street View, CCWA GIS (geographical information system), and consultant team GIS files. County Assessor parcel mapping will be used to provide general right-of-way information. Topographic or right-of-way mapping by a licensed surveyor will not be performed at this time. Up to two alignment alternatives will be studied.
  - c. Environmental screening study. HDR will engage the services of Stantec Consulting Services, Inc., to assist with Environmental Planning and Permit Screening. Stantec will participate in workshops and perform other services as described in Attachment 2. Stantec will provide a letter report which will be attached to HDR's report. Stantec's report will address:
    - i. Known or expected environmental constraints likely to affect CEQA and NEPA
    - ii. Anticipated environmental permitting requirements.

- d. Other permits. HDR will describe other anticipated permits, based on the “Working Group” workshop discussions, a meeting with Caltrans District 5, and its own experience with similar projects.
  - e. Utility Research. Evidence of buried and overhead utilities will be observed and documented in the notes and photos of the site review. Additionally, HDR will contact Underground Service Alert and request a list of registered utilities along the alignment. HDR will then request drawings and other information from each registered utility and will maintain a log of responses. Where a utility does not respond, HDR will follow up with one email or phone call. Utilities will be described in the report but will not be mapped at this time. If a utility charges a fee, CCWA will provide direct payment or authorize an increase in HDR’s budget.
  - f. Construction conditions, methods, and opinion of cost. HDR will describe the anticipated methods of construction and anticipated site conditions based on the previous reports and documents furnished by CCWA and other working group members, and HDR’s observations during the Site Review. The services of a geotechnical engineer or geologist are not included at this time. HDR will prepare a planning-level (Class V) Opinion of Probable Construction Cost for the selected alternative only.
4. Deliverables (Draft Report / Final Report) and Review Meeting. HDR will prepare a brief report (approximately 15 to 20 pages, excluding appendices) summarizing its findings and recommendations. HDR will facilitate a virtual meeting with CCWA (and others invited by CCWA) to discuss the draft report and comments. A final report will be prepared approximately 2 to 4 weeks after the review meeting and all comments have been received.

## Schedule

Work will be performed in general accordance with the following schedule.

Activity	When
Kickoff Meeting / Site Review	Early January, 2024
Working Group Workshop	Early February, 2024
Draft Environmental Screening Report	Early March, 2024
Draft Project Report	Late March, 2024
Review Meeting	April 2024
Final Report	Late April, 2024

## Exclusions

1. Biological, Archeology, Paleontology, Traffic, or Utility Surveys
2. Topographic or right-of-way survey
3. Geotechnical studies
4. Professional Cost Estimating Services
5. Title Report review or the securing of title reports

6. Studies associated with Hilton Creek water deliveries or work associated with the Bureau of Reclamation Projects

## **Terms and Conditions**

The work will be performed as a task order, in accordance with the terms and conditions of HDR's master agreement with CCWA. The fee shown in the attached Fee Estimate will not be exceeded, unless authorized in writing by CCWA.

### Attachments

- (1) HDR Fee Estimate
- (2) Stantec Proposal

Central Coast Water Authority  
 Bradbury Penstock Bypass Study  
 Estimated Level of Effort and Fee



TASKS		LEVEL OF EFFORT							FEE					
No.	Description	Sr.	Sr. Project	EIT	CADD	Sr CADD	Project	Accountant	Total Labor	Labor	Subs	Direct Costs	Total	TOTAL
		Professional Associate												
	<i>Client Billing Rates</i>	\$394	\$365	\$149	\$205	\$171	\$126	\$217	\$269					
	Task Name													
1	Project Administration	4					8	9	21	\$4,541	\$0	\$68	\$4,609	
2	Workshops	14	9	8					31	\$9,994	\$0	\$150	\$10,144	
3	Report	26		28	9	14	3		80	\$19,029	\$41,365	\$285	\$60,679	
4	Deliverables and Review Meeting	9	9						18	\$6,832	\$0	\$102	\$6,934	
	<b>Subtotal   Task Name</b>	<b>53</b>	<b>18</b>	<b>36</b>	<b>9</b>	<b>14</b>	<b>11</b>	<b>9</b>	<b>150</b>	<b>\$40,397</b>	<b>\$41,365</b>	<b>\$605</b>	<b>\$82,366</b>	<b>\$82,370</b>
<b>TOTAL, hours</b>		53	18	36	9	14	11	9	150					
<b>TOTAL, dollars</b>										\$40,397	\$41,365	\$605	\$82,366	\$82,370



November 8, 2023

SENT VIA E-MAIL

Dan Ellison  
200 East Santa Clara Street, Suite 220  
Ventura, CA 93001

201 North Calle Cesar Chavez  
Suite 203  
Santa Barbara, CA 93103  
USA  
Phone +1 805 962 7679  
Fax +1 805 963 0412  
[www.stantec.com](http://www.stantec.com)

**RE: Prepare Screening Study for Replacement Pipeline from Bradbury Dam to Meadowlark Lane**

Dear Mr. Ellison:

Stantec Consulting Services Inc. (Stantec) is pleased to provide this scope of work and budget to prepare a screening-level study for a replacement pipeline for the ID#1 pipeline that runs from Bradbury Dam to Meadowlark Lane in Santa Barbara County, California. This proposal describes our scope of work, assumptions, staffing, and cost estimate.

### **Scope of Work**

Stantec is proposing to conduct this work in six tasks as described below.

#### **Task 1 – Kick Off Meeting and Site Walk**

Stantec will attend a virtual kick off meeting and an in-person site walk. The purpose of the site walk will be to gain a better understanding of the environmental and construction constraints and the purpose of the kick off meeting will be to discuss the project and potential alternatives.

#### **Task 2 – Work Group Meeting**

Stantec leads for environmental and planning will attend a workshop with the Bureau of Reclamation, the Cachuma Operations and Maintenance Board, and south coast member agencies to discuss the project.

#### **Task 3 – California Environmental Quality Act (CEQA)/National Environmental Policy Act (NEPA) Review**

Stantec will provide a review of known or expected environmental constraints that are likely to affect or limit the project. Location-specific constraints will be shown on strip maps and general information will be discussed in a report. Key resources for the CEQA/NEPA review are expected to be in the following categories:

- **Traffic** – Project construction along Highway 154 will require lane closures and nighttime work, with some work during off-peak hours (8:00 am to 4:00 pm). Stantec will consult with the California Department of Transportation (Caltrans) to identify impacts on State Routes and public/private road connection based on the alignment, staging requirements, and construction traffic demand.  
  
The review will provide an overview of traffic related impacts and a general description of mitigation such as temporary lane closures, work hours, and other measures to mitigate construction delays along each pipeline segment.
- **Air Quality** – Air quality and greenhouse emissions will be generated during project construction. Stantec will provide an overview of the Santa Barbara County Air Pollution Control District Environmental Review Guidelines. A general discussion will include types of mitigation to reduce air quality and greenhouse gas emissions, such as equipment/vehicle type, use of water trucks, and construction worker trips.
- **Biological Resources** – Key biological concerns will be related to habitat (e.g., riparian, oak woodlands, native grasslands) and special status species (e.g., southern steelhead, California red-legged frog, and southern western pond turtle). We will review commonly available sources of desktop data including:
  - California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDDB)

- U.S. Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) and National Hydrographic Dataset
- Regional and Local Wildlife/Habitat Connectivity Corridors
- USFWS critical habitat information
- Audubon Important Bird Areas
- Aerial photography
- County of Santa Barbara Environmentally Sensitive Habitat Areas

The review will provide an overview of the biological resources that will be impacted and a general description of the types of mitigation that will be required. Stantec will identify observable constraints from the desktop review and from the site visit on strip maps but will not delineate the boundaries of those constraints.

- Cultural Resources – Stantec will conduct a records search of the California Historical Resources Information System (CHRIS) to determine if there are known records of cultural resources in the project area. Stantec will review the grey literature and the CHRIS record search results and provide a brief description for the report.
- Utilities – Stantec will conduct a review of existing utilities along the proposed pipeline alignment. Stantec will conduct a Dig Alert request and query utility providers. Knowledge of existing utilities will assist in placement and construction of the proposed pipeline. The utilities analysis will also assist in potential construction alternatives for the segment crossing the Santa Ynez River.

#### **Task 4 – Permitting Review**

Stantec will provide information about the permitting required and some strategic recommendations. This review will cover permits from the following agencies of the following types:

- U.S. Army Corps of Engineers (USACE) – depending on how creek and river crossings are achieved, a permit will likely be required from the USACE. The report will address various permitting pathways and how they may affect other permits needed by the project.
- Regional Water Quality Control Board (RWQCB) – Stantec will provide a review of the wetlands and waters permitting that will be required by the RWQCB.
- CDFW - Stantec will provide a review of permits required and the constraints and strategies for CDFW in two categories: endangered/special-status species and state wetlands/ waters. We will provide information on the known and likely occurrence of special-status species and provide information on the probable locations for state wetlands and waters. We will provide information on the requirements to avoid needing permits (if applicable) and the pros and cons of doing so.
- United States Fish and Wildlife Service (USFWS) – Stantec will review requirements in two categories: endangered/special-status species and nesting bird avoidance. We will provide information on the known and likely occurrence of special-status species and provide information on requirements for avoiding nesting birds. We will also provide strategies to limit the impacts of nesting birds on construction schedules. We will provide information on the requirements to avoid needing permits (if applicable) and the pros and cons of doing so.
- State Historic Preservation Office – Stantec will provide a brief statement concerning consultation that could be required.

Finally, the permitting review will compare options for each permit and how those options interact with other permits. For example, it may be beneficial to need a permit from USACE because then there is a lead federal agency to consult with USFWS. But if Reclamation or some other federal agencies is involved, the benefit of needing permitting with the USACE may not be applicable.

### **Task 5 – Alternatives Review**

Stantec will review up to 2 alternative alignments or construction methods and provide a table which will compare if those alternatives would result in greater CEQA/NEPA impacts for each of the categories listed above and will also compare if those alternatives would result in more challenging permitting for each of the permit types outlined above.

### **Assumptions**

The scope and costs provided in this proposal were prepared with the understanding described above as well as the following assumptions:

- The report will be brief; this is intended to be a screening-level study that will not necessarily identify all potential issues that may require more in-depth analysis or study.
- The cost of the CHRIS records search will not exceed \$2,000.
- Stantec will not provide permitting review for stormwater permits.
- Due to the screening-level desired at this phase, Stantec anticipates that each topic will be addressed in a relatively short entry, one or two paragraphs in length, as well as shown on strip maps (if applicable).
- No biological surveys are proposed as part of this effort.

Any project changes after the initial analyses and reports are prepared that change the analysis are not included in the scope of work and will require additional budget.

### **Staffing and Schedule**

Tamara Klug will oversee the work and work closely with the research team to maximize efficiency and quality, oversee the write up for biological resources and permitting. Crystahl Taylor will oversee the CEQA/NEPA analysis and description. We will initiate work with receipt of a signed contract. The schedule for site visits and meetings will be determined mutually with you and the schedule for the deliverable is anticipated to be in the first half of 2024, but will be refined during the project.

### **Cost Estimate**

The estimated cost for this effort is **\$39,394.69** as shown below, which is based on the Stantec schedule of fees for the Central Coast Water Authority (CCWA).

Thank you very much for the opportunity to continue to work with you.

Sincerely,



Tamara Klug

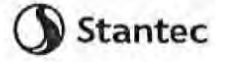
Senior Principal

Direct Line: 805 979 9412

Email: [tamara.klug@cardno.com](mailto:tamara.klug@cardno.com)

cc: Lori Browning, Stantec





FEE ESTIMATE - CCWA -screening level study for Santa Ynez



WBS Code	Task Name	Units	Map. Tenses	Tedco Dyrain	Dowick Shan	Thompson n.	Dewitt. Eran	Lee. Tin	Meyer. Kenyon	Payant. Leah	Balmer. Lisa	Huch. Richard	Kemlye Ben	Terry. Kate	F.A. Lauren	Lummers. Dennis	Huck. Kathy	Tennak. Becky	Ler. Darryl	Arral. Anais	Project Summary	Hours	Labour	Expense	Total
	Project Billing Rate (TRM)		\$250		\$275	\$275	\$150	\$115	\$180	\$175	\$125	\$255	\$125	\$175	\$180	\$220	\$220	\$145	\$125	\$115	0.00	\$0.00	\$0.00	\$0.00	
	Total Units (TRM)		332	34	35	35	322	37	34	34	35	32	35	35	32	34	34	34	32	34	81.00	\$7,065.00	\$2,258.65	\$9,323.65	
	Excavation (TRM)		30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	81.00	\$7,065.00	\$2,258.65	\$9,323.65	
	Total Fee (TRM)		\$8,100	\$8,100	\$8,100	\$8,100	\$8,100	\$8,100	\$8,100	\$8,100	\$8,100	\$8,100	\$8,100	\$8,100	\$8,100	\$8,100	\$8,100	\$8,100	\$8,100	\$8,100	81.00	\$7,065.00	\$2,258.65	\$9,323.65	

WBS Code	Task Name	Units	Labour	Expense	Total
11	Site walk/ kickoff meeting	8	\$2,740.00	\$43.78	\$2,783.78
12	Work group meeting with	4	\$2,400.00	\$85.46	\$2,485.46
13	Registration, South Coast Member	4	\$8,900.00	\$0.00	\$8,900.00
14	Registration, Consultants	10	\$2,260.00	\$2,200.00	\$4,460.00
15	Attendees/ Noncom	6	\$5,525.00	\$0.00	\$5,525.00
	<b>Total</b>	<b>32</b>	<b>\$27,825.00</b>	<b>\$2,729.24</b>	<b>\$30,554.24</b>

# California snowpack lowest in decade despite hope with December storms

**First survey of season shows snow at 25% of historical average, with brown patches of vegetation across Sierra Nevada**



📷 So far the snow levels are lacking depth, with a number of bare spots visible. Photograph: Fred Greaves/California department of water resources

## **Gabrielle Canon**

🐦 @GabrielleCanon

Thu 4 Jan 2024 10.00 EST

In the first snow survey of the season, California came up short - just 25% of the historical average - despite a spate of strong storms that caused flooding and landslides along the coast in late December.

On Tuesday, officials measured a depth of just 7.5in at a monitoring station in the Sierra Nevada mountain range east of Sacramento, where brown patches of vegetation could be seen poking through the shallow snow. Statewide, the amount is the lowest logged for this time of year in the last decade.

This year's survey stands in sharp contrast to last year's, when a parade of storms caused by "atmospheric rivers" coincided with cold weather, producing one of the largest snowpacks in history. For 2023's first survey the banks stood at 55.5in, roughly 177% of average.

Most of California's precipitation falls between December and March with peak snow amounts accumulated by 1 April, so there's still time for the state to catch up. "We often get slow starts to our water year," said the state climatologist, Michael Anderson, who added that the next measurement, scheduled tentatively for 1 February, will paint a clearer picture of how the year will play out.

Storms are indeed already in the forecast for the coming weeks. But even if this winter grows wetter, it's also expected to be warmer. That's not great news for the snowpack, or California's water managers, who are already navigating more severe swings between wet and dry.



📷 Sean de Guzman, the manager of the California department of water resources snow surveys and water supply forecasting unit, and his team measure snowpack. Photograph: Andrew Nixon/California department of water resources

California's climate has long produced boom-and-bust cycles when it comes to water, but the climate crisis is turning up the heat and increasing volatility. Policies and infrastructure have struggled to keep up with changes exacerbated by the thirsty state's overuse. Reservoir levels are now robust, but heavy rains without snow could cause destructive

flooding in the short term with less water to go around during the hot, dry months to come.

Snow is incredibly important to California's water supply, acting as a kind of water savings account by slowly flowing into streams, soils and reservoirs in the drier seasons. The snowpack in the Sierra provides, on average, roughly 30% of California's water supply, but that could change in the coming decades as snow becomes more scarce.

"Our snow season is shortening," said Andrew Schwartz, the lead scientist of the UC Berkeley snow lab, a field research station in the Sierra Nevada. Snow used to be common in October and May, buffer months at the edges of autumn and spring that are now producing mostly rainfall, he said. Even in the middle of winter, warm rainstorms are increasingly creeping in and eating through snowbanks.

That's why - without a helpful surge in cold weather that coincides with more precipitation - it may be less likely that California will accumulate even average amounts of snow this year. The climate scientist Daniel Swain isn't optimistic.

Calling the current snowpack levels "absolutely abysmal" during an online discussion about the survey broadcast on Tuesday, he warned that California may be in for a "snow drought" this year even with more storms in the forecast.

"In some places there is literally no measurable snow on the ground at all," he said, noting that these are record-low numbers for January. "Even if we end up seeing wetter storm cycles later this winter, which I still think is likely, that doesn't necessarily mean we are going to catch up to the average snowpack."

Residents, meanwhile, are reeling from climate whiplash as state officials have warned them to prepare for floods this winter even as they call for more water conservation. Prior to the extreme storms of 2023, California saw its driest three-year period on record, and the hydrological coin will flip again.



📷 The snow on a mountain peak lacks depth near the station where levels were measured. Photograph: Fred Greaves/California department of water resources

The big question for California - and for its water managers - is how to handle a future with warm, wet winters, and ensure that water supplies don't surge or grow too scarce.

“The water infrastructure we have is going to be increasingly out of alignment with the climate that we have,” Swain said. “The real challenge is how to manage this increase in hydroclimate whiplash and the increasingly wide swings between drought and flood. Right now we don't have a system that's able to accommodate that.”

Ellen Hanak, a water expert with the Public Policy Institute of California, said the state has made strides in recent years, but that there's more work to do.

Water managers were not positioned to take full advantage of all the rain that fell during 2023's cold, wet winter. An analysis done by Hanak and her colleagues found there was a lack of sufficient surface storage, poor coordination, limited infrastructure to move water, and a complicated maze of permitting requirements that hampered efforts to adequately save the extra water - an amount that could have supplied 1.2m typical California households for a full year.

There were some improvements implemented last year, though, that could put the state in a better position when storms dump rain instead of

snow. Projects that divert excesses into underground basins - including over-tapped ones in California's Central Valley agricultural hub - helped capture roughly 3.8m acre-feet last year according to the department of water resources. Governor Gavin Newsom also issued a series of executive orders that streamline the regulatory process for diverting water, enabling more nimble action when flood threats are high.

"I think folks are going to be more ready this year to deal with big storms," Hanak said. "That said, I think we are probably going to still leave some water on the table - especially if we aren't lucky with the temperature ... It is about being ready to pivot when you need to."

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**Most viewed**

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# ‘Snow drought’ seen despite storms

Low snowpack levels in Sierra Nevada, western United States raise climate worries.

BY HAYLEY SMITH

Although recent storms have thrashed the California coastline and boosted reservoir levels, the downpours have so far failed to deposit significant snowpack in the Sierra Nevada, which experts say is in the grips of a severe, early season “snow drought.”

December’s powerful storms delivered super-sized waves and record-setting rainfall in California, but most of it fell in coastal areas, and almost none in the interior part of the state that is home to the Sierra, said Daniel Swain, a climate scientist with UCLA.

“In some cases there is literally no measurable snow on the ground at all,” Swain said during a briefing Tuesday. “What this means is that right now, as of today, snowpack is at or below all-time record-low numbers for the beginning of January, and I know that’s pretty alarming.”

While there is still time for snowpack conditions to improve, the potential for a meager snow season is worrying. For decades, Californians have depended on the reliable appearance of spring and summer snowmelt to provide nearly a third of the state’s supply of water. Sparse snowpack can also lead to drier, more fire-prone forests.

On Tuesday, state officials conducted their first snow survey of the season at Phillips Station, near South Lake Tahoe, where the ground was a patchy mixture of grass and powder. The monthly surveys in winter and spring are key to forecasting how the state’s resources will be allocated each year.

Snowpack at the location measured 7.5 inches, with a snow water content of 3 inches, said Sean de Guzman, manager of the California Department of Water Resources’ snow surveys and water supply forecasting unit. That amounts to just 30% of average for the date, and 12% of the average for April 1, when snowpack is typically at its deepest.

“The January snow survey is always our first big reveal of snow conditions for the year,” de Guzman said. “Last year on this date, we were standing on almost 5 feet of snow — so vastly different than what we are standing on here today.”

Electronic readings from 130 stations across California indicate the snow water content statewide is just 2.5 inches, or 25% of average for the date, compared with 185% at the



same time last year.

“While we are glad the recent storms brought a small boost to the snowpack, the dry fall and below average conditions today shows how fast water conditions can change,” de Guzman said.

Low precipitation and warm temperatures are causing snow drought conditions throughout the West, not just in the Sierra Nevada, according to the National Integrated Drought Information System. Other regions include the Northern Rockies and parts of the Lower Colorado River Basin and Rio Grand River Basin.

“Snow drought conditions will continue to evolve throughout the winter,” the NIDIS said on its website. “Early in the season, snow drought recovery can happen quickly. Recovery from snow drought in late winter and early spring, when snowpack is typically near peak, can be more difficult.”

Unlike a typical drought, which refers to a total lack of moisture, a snow drought refers to a deficit in the expected amount of snow, Swain said.

“You may actually see average to above-average precipitation and have average to above-average soil moisture, but have a abysmally low snowpack,” he said. “And that is potentially what we’re headed for this winter in some parts of California and the Southwest.”

Part of the challenge is that much of the state’s recent precipitation has fallen as rain instead of snow — a product of warmer conditions driven by El Niño and human-caused climate change. El Niño, a climate pattern in the tropical Pacific, arrived in June and is associated with hotter temperatures worldwide.

Though data from December are still pending, federal climate officials have said 2023 is “virtually certain” to go down as the hottest year on record.

“We have seen a number of storms that probably would have been cooler — and been snowfall — that have been rainfall,” said Andrew Schwartz, director of UC Berkeley’s Central Sierra Snow Lab at Donner Pass, where snowfall currently measures 32% of average.

Data dating back to 1978 show notable trends in that regard, Schwartz said, with snowfall declining and rainfall increasing in every month except for February.

“This really shows us that our snow season is getting shorter,” he said. “We’re going to have to plan for shorter periods of snowpack, and the complications that may bring with our management of water resources.”

Indeed, portions of the state’s water infrastructure were designed for the slow trickle of snowmelt, not the rapid deluge of rain, according to state climatologist Mike Anderson. A more mixed regime will require new strategies and technology, such as forecast-informed reservoir operations and aerial mapping tools to better prepare for runoff, manage water releases from dams and “help the state adapt as we move into a warmer world,” he said.

There is good news, however. The recent storms helped replenish major reservoirs, which stand at 116% of average levels for the date, according to state data. California's two largest reservoirs, Lake Shasta and Lake Oroville, are at 69% and 68% capacity, respectively.

What's more, an incoming storm sequence is expected to bring a much colder conditions to California over the next 10 days, including several storms capable of dropping 6 to 12 inches of snow in the mountains, Swain said. That could move the state out of record-low territory by mid-January, although snowpack will likely remain well below average.

"I don't necessarily think this is going to be a good snow year — in fact it might end up being a pretty bad snow year — even if Central and Southern California do end up seeing above average precipitation overall this winter, which remains a distinct possibility, because it's likely to be warm most of the time," he said.

But there is still a long way to go. California's water year runs from Oct. 1 through Sept. 30, with the majority of the state's precipitation typically falling in January, February and March.

"We're only about one-third of the way through the 'big three' months, and a lot can change," said Anderson, the state climatologist.

Anderson noted that El Niño is only one of several factors that can drive conditions in California, including sub-seasonal climate patterns that can play a role in the types and temperatures of storms that hit the state.

De Guzman, of DWR, said the snow survey results "show that it's really still too early to determine what kind of year we'll have in terms of wet or dry, and there can be so many things that happen with our storm systems between now and April, when we should see our peak snowpack."

He noted that state officials are simultaneously preparing for either extreme wet or extreme dry conditions, including shoring up flood infrastructure and coordinating with emergency response partners in hopes of avoiding a repeat of last year, which saw devastating flooding, levee breaches, road damage and fatalities driven by more than 30 atmospheric rivers.

"California saw firsthand last year how historic drought conditions can quickly give way to unprecedented, dangerous flooding," read a statement from DWR Director Karla Nemeth. "Although El Niño does not guarantee an above average water year, California is preparing for the possibility of more extreme storms while increasing our climate resilience for the next drought."

Seasonal outlooks from the National Oceanic and Atmospheric Administration still favor warmer-than-normal temperatures and above-normal precipitation in California through at least March, de Guzman said, noting "we still have a lot of season left."

The next snow survey will take place on Feb. 1.

CALIFORNIA

## California's biggest winter storm so far is on its way. Will it put a dent in the 'snow drought'?



Amelia Dinh, 7, and her mother, Mai Dinh, put the finishing touches on a snowman along Mt. Baldy Road on Wednesday in the San Gabriel Mountains. (Brian van der Brug / Los Angeles Times)

BY SUMMER LIN | STAFF WRITER

JAN. 9, 2024 UPDATED 3:35 PM PT

After a worryingly weak start to the winter for California's mountains, two storms — including what's expected to be the biggest of the season so far — are expected to dump several inches of snow on the Sierra Nevada this week, days after some promising weekend snowfall.

The first storm will move in Tuesday night, bringing a slight chance of snow showers in the evening followed by a chance of snow after midnight, according to the National Weather Service.

The second, much stronger storm is expected to arrive Wednesday, with heavy snow and strong winds. A winter storm warning is in effect for the northern and central Sierra Nevada, including Lake Tahoe, until 10 p.m. Wednesday.



CLIMATE & ENVIRONMENT

**'Snow drought' grips California and western United States, despite recent storms**

Jan. 3, 2024

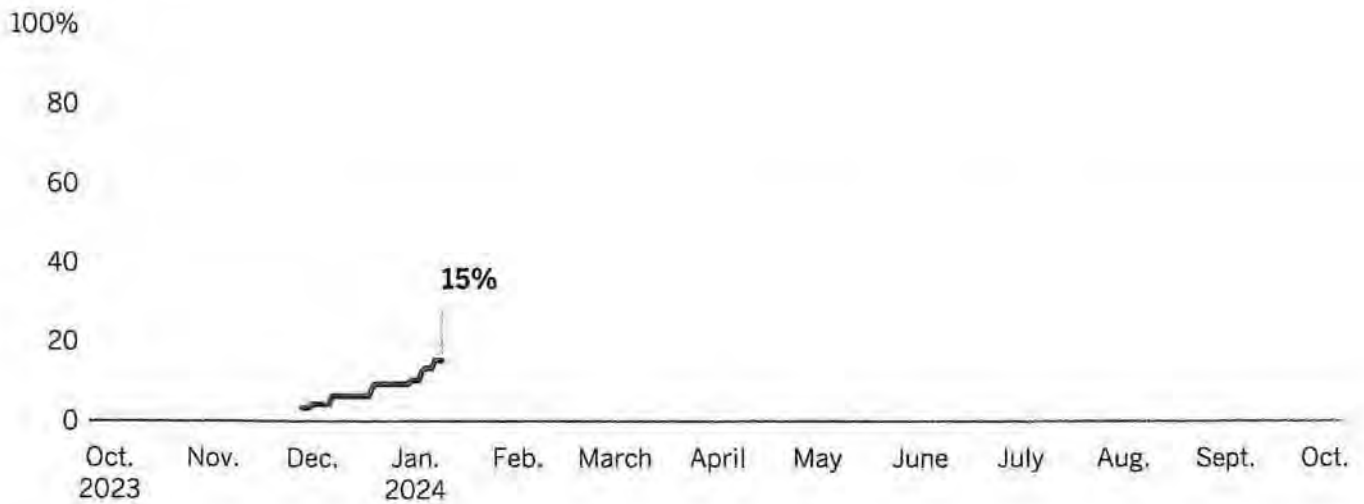
Snow accumulations could reach up to 2 feet on some mountains, with wind gusts as high as 50 mph. Travel could be impossible on certain stretches, according to the weather service, with delays, reduced visibility, snow-covered roads and road closures.

In the Greater Lake Tahoe area, snow accumulations could reach 5 to 11 inches at lower elevations, with 7 to 13 inches possible above 7,000 feet. Wind gusts could reach up to 60 mph in the afternoon. The snow is expected to continue into the evening, with chances of precipitation after midnight.

## **Sierra Nevada snowpack**

The snowpack is now 15% of the average April 1 peak and 35% of the average for Jan. 9.

**Percentage of April 1 average**



Data as of Jan. 9

California Department of Water Resources

LOS ANGELES TIMES

The region recently saw significant snowfall after a relatively dry start to the winter season that frustrated skiers and raised worries of a meager snowpack. For the area's ski resorts and communities, Saturday's storm brought 13 inches of snow to Northstar and Palisades Tahoe, 12 inches to Heavenly Summit and Mt. Rose Summit, 11 inches to Homewood Mountain, 7.5 inches to the Truckee Airport and about 7 inches to Tahoe City, according to the weather service.

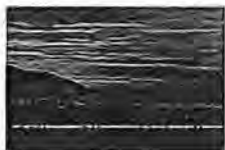
Since Oct. 1, when the water year began, South Lake Tahoe has gotten 3.8 inches of precipitation, compared with the 7.65 inches it normally gets by this time of year, according to the weather service.

Yosemite National Park received about a foot of snow from Saturday's storm, according to meteorologist Carlos Molina of the National Weather Service. From Wednesday morning through Thursday morning, the park could get an additional 8 to 12 inches.

Two earlier storms that passed through Yosemite before New Year's and Christmas combined to drop only about 4 to 7 inches of snow on the park, Molina said. The region is about a month behind its normal schedule when it comes to snowfall.

“It’s a little late,” Molina said. “By the start of December, around Thanksgiving is when you start seeing the first snowfall in Yosemite. Usually by the time we get to Christmas, they’re already started or are gearing up for the winter activities you would normally see around the mountains. That season didn’t really start until pretty much right around New Year’s.”

As of Tuesday, the statewide snowpack was just 35% of normal for this time of year, according to [data from the California Department of Water Resources](#). On the same date last year, amid [a remarkably wet winter](#), the snowpack was 205% of normal.



CLIMATE & ENVIRONMENT

**Earth reaches grim milestone: 2023 was the warmest year on record**

Jan. 9, 2024

Although storms in December delivered [record-setting rainfall](#) on the Ventura County coast and other portions of California, it was mostly confined to coastal areas and delivered little snow to the Sierra. The sparse snowfall this winter has raised concerns of a [“snow drought.”](#)

Based on current projections, Molina said, the snowpack would either be just around normal or below normal by the end of the water year. There’s another potential storm brewing that could drop 3 to 4 inches of snow in the Yosemite region Saturday, but it’s still too early to tell.

“With these storms, they’re supposed to come on a weekly basis and give us 10 to 14 inches of snow,” he said. “While these storms are in that range, if we don’t continue to see them, then we’re going to be in a snow drought. Right now, it’s hard to tell.”

Californians have depended on the snowmelt during the spring and summer to feed the state’s water supply. Sparse snowpack could mean more fire-prone forests during wildfire season.



Summer Lin

Summer Lin is a reporter on the Fast Break Desk, the Los Angeles Times' breaking news team. Before coming to The Times, she covered breaking news for the Mercury News and national politics and California courts for McClatchy's publications, including the Sacramento Bee. An East Coast native, Lin moved to California after graduating from Boston College and Columbia University's Graduate School of Journalism. In her free time, she enjoys hikes, skiing and a good Brooklyn bagel.

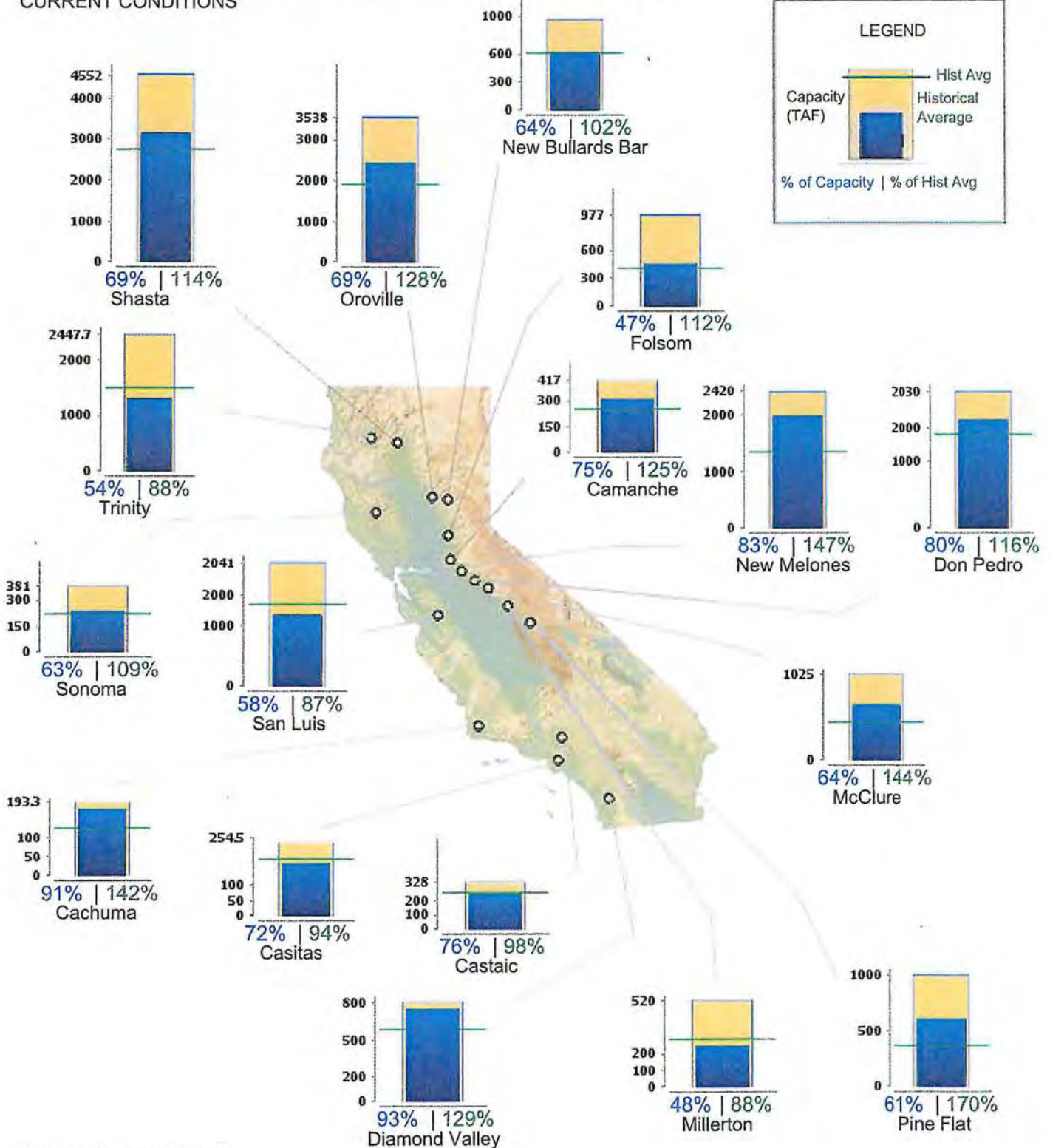
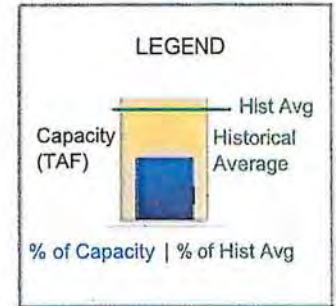


# CURRENT RESERVOIR CONDITIONS

## CALIFORNIA MAJOR WATER SUPPLY RESERVOIRS

Midnight - January 9, 2024

### CURRENT CONDITIONS







January 2024  
Issue No. 259 16 Pages

# Monthly Briefing

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

## 2024 Annual Conference Agenda Takes Shape

*"Resilience in Every Drop: Safeguarding America's Food Security"*

The 2024 Family Farm Alliance annual meeting and conference will take place February 22-23, 2024, at the Silver Legacy Resort and Casino in Reno, Nevada. The 2024 annual conference theme is, "Resilience in Every Drop: Safeguarding America's Food Security".

Much of the Western U.S. is recovering from at least two to three consecutive years of crippling drought. The recent series of "atmospheric rivers" has dramatically changed the water supply situation in California, although pockets of drought stubbornly persist in other parts of the West.

The drought crisis that many Western farmers and ranchers have endured underscores some key concerns. Improved water infrastructure is needed to protect future water supply reliability. Water management in the West is becoming too inflexible. Fierce Western wildfire disasters are becoming an annual occurrence and present new challenges for water managers.

"Importantly, we've learned that those areas where collaborative, cooperative community efforts are underway are more likely to weather drought than areas defined by confrontation and litigation," said Alliance Executive Director Dan Keppen.



Perhaps the only silver lining is that this unprecedented drought crisis has drawn public and political attention to Western agriculture's critical role in providing this Nation with a safe and reliable food supply, boosting the national economy, and continuing the country's stature as the world's premier food basket. The drought, rising inflation and the Ukraine crisis all have a

direct and serious impact on American consumers, along with global food supplies.

Policy makers must understand the relationship between all of these challenges and how they intersect to impact national and global food security.

Continued on Page 2

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## 2023 Family Farm Alliance Annual Conference (*Cont'd from Pg. 1*)

"We cannot continue to allow policy decisions that slowly and permanently downsize Western agriculture by focusing on long-term theoretical processes centered solely around conservation," said Alliance President Patrick O'Toole.

Mr. O'Toole and other Alliance leaders believe this approach will continue to result in "death by a million cuts" that erodes our Country's long-term capacity to be self-sufficient for food and fiber and feed the world.

"Our irrigated system of agriculture in the West has and can continue to provide the most stable food supply in the world - but only if we allow it to function," he said.

The 2024 Family Farm Alliance Annual Meeting and Conference is an opportunity for producers, policy makers and water professionals from throughout the West to focus on topics of critical concern. A wide variety of speakers will take on the issues that make a difference to irrigators. Members of Congress and their staff, senior Biden Administration officials, and representatives from constructive NGOs are regulars on the program.

The Sunrise Keynote Speaker on the morning of February 23 is Jessica Fox (Electrical Power Research Institute, and winner of the U.S. Water Award), who will discuss her work in California's Central Valley, where solutions are being developed that merge farms, solar siting, agrivoltaics and pollinator habitat for the Monarch Butterfly.

The confirmed February 22<sup>nd</sup> Luncheon Keynote Speaker is Bruno Pigott, Principal Deputy Assistant Administrator, in the Office of Water, U.S. Environmental Protection Agency. Michael Brain (Principal Deputy Assistant Secretary, Department of the Interior) has been invited to provide closing keynote remarks on February 23.

A typical Family Farm Alliance annual conference features diverse, high-profile speakers and panel discussions that focus on the innovative ways and new partnerships that Western farmers and ranchers are developing to protect rural communities. The 2023 conference will feature the other following addresses and panel discussions:

- **Reclamation Roundtable** — featuring representatives from the Bureau of Reclamation Commissioner's office and all 5 regional directors
- **A Look at D.C. from the Hill**
- **"We're Here to Help—Help us Help You!"** - Learn from Western university reps how academia can be more responsive and effective in collaboratively helping solve problems facing Western irrigators.
- **"Muddy Reflection"** - Tips for Western water managers who may have to tackle unexpected challenges resulting from our mismanaged federal forests.
- **Navigating the Nexus: NRCS and Department of Energy Funding on Reclamation Projects**
- **The Fate of the Lower Snake River Dams**
- **Colorado River Tribal Panel – Agriculture and Water: Past, Present and Future.** Moderated by Anne Castle, who served as Assistant Secretary for Water and Science in President Obama's Interior Department.
- **Where's the Recourse? The Challenges of Dealing with Endangered Species Act Administration in the West.**

Following the end of the conference general session at noon on February 23, "The Green Desert" will be shown in the Eldorado Showroom, the most spectacular venue in all of northern Nevada, featuring a state-of-the-art sound and lighting system. Participants will enjoy a light lunch and meet Leo Zahn, who directed this film, which includes interviews with Alliance President Pat O'Toole and other players in the Colorado River water arena.

Internal meetings of the Alliance board of directors and Advisory Committee will take place earlier in the week in Reno. Please visit [www.familyfarmalliance.org](http://www.familyfarmalliance.org) for conference registration information, hotel booking information, sponsorship opportunities, and the latest schedule of events.

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- Beginning in January 2024, digital advertising opportunities will be offered to Alliance supporters in our *Monthly Briefing* and *Issue Updates*. Opportunities are limited and on a first come, first served basis.
- Our email subscribers consist of thousands of Western farmers and ranchers, state and local elected officials, Members of Congress, committees on Capitol Hill and Congressional staff, federal agency policy staff, lobbyists, water purveyors, agri-business interests, NGOs, agricultural and water policy leaders, and the press.
- Open rates have been climbing over the past several years, ranging from 30 to 50%. (compared to the industry average which tends to be around 15%). **The *Monthly Briefing* receives the highest open rates at consistently over 47%.** Nearly 25% of those opening our emails click on available links when links are available. For more information and to reserve your space, please contact Jane Townsend at [jane@familyfarmalliance.org](mailto:jane@familyfarmalliance.org).

## Still No FY 2024 Spending Agreement as New Year Begins

As 2024 begins, there is still no sign of a bipartisan bicameral agreement on the topline spending numbers that would frame the overall budget totals to begin moving FY 2024 spending bills and avert either of the two shutdown deadlines on January 19 and February 2.

"The more time it takes to arrive at a consensus on spending this month will increase the odds of a government shutdown," said Mark Limbaugh of The Ferguson Group, the Family Farm Alliance's representative in Washington, D.C.

Staff-level talks between House Speaker Mike Johnson (R-LA) and Senate Majority Leader Chuck Schumer (D-NY) have so far yielded little progress, leaving Congress with a significant challenge over the next couple of weeks.

Speaker Johnson has promised no more temporary funding extensions (continuing resolutions, or CRs), proposing a fallback CR option that would extend current government funding through the rest of the fiscal year. Lawmakers on both sides of the aisle have said that would be devastating, yielding major cuts to domestic programs, and hamstringing defense spending due to terms under the bipartisan debt deal negotiated by President Joe Biden and former Speaker Kevin McCarthy (R-CALIFORNIA).

Rep. McCarthy has since announced his departure from the House by the end of 2023, choosing to resign and not to seek reelection.

Senate Appropriations Committee Chair Patty Murray (D-WASHINGTON) has vehemently opposed Speaker Johnson's suggestion to extend the current stopgap CR spending bill through the end of FY 2024, with "appropriate adjustments." Sen. Murray warned that such a move would lead to significant cuts in critical domestic programs, endangering nutrition assistance, federal hiring, food safety, and medical research.

"It's dangerous and a non-starter," Senator Murray said in an interview with POLITICO last month. "Everybody needs to understand that it's dangerous, and we can't go there."

The full year CR proposal has sparked concerns from various quarters, including Senate Appropriations Vice-Chair Susan Collins (R-ME) and military officials who highlighted the detrimental impact on military personnel, Navy shipbuilding, and other defense priorities.

"The choice before the Senate is clear," said Senator Collins. "Do we want to pass, with amendments, carefully considered funding bills? Or do we want to default to . . . a year-long resolution that funds programs that are no longer needed, prevents new programs from starting up, wastes taxpayer dollars, and is subject to indiscriminate cuts due to the provisions of the Fiscal Responsibility Act? Mr. President, the choice is very clear. The Senate should proceed to debate, consider amendments, and pass the appropriations bills."

The CR plan, tied to funding limits set by the bipartisan

Fiscal Responsibility Act (FRA) debt limit deal earlier this year, would slash non-defense domestic spending by \$73 billion while boosting defense funding by \$26 billion, a result of the debt limit agreement.

Speaker Johnson's firm stance in negotiations over FY 2024 spending levels, especially concerning non-defense funding, poses challenges for reaching a bicameral deal on appropriations. While defense and security-related funding levels are relatively settled, disagreements over non-defense domestic funding persist.

"Speaker Johnson's approach, influenced by the House Freedom Caucus, aims to cap non-defense funds significantly below the negotiated ceiling in the FRA," said Mr. Limbaugh. "Despite ongoing bicameral negotiations, the lack of agreement on top-line funding levels poses significant hurdles".

Senator Murray emphasized the urgency of reaching a deal swiftly to enable the writing of compromise FY 2024 appropriations bills within the tight timelines outlined in the latest CR. At a Senate Democratic leadership press conference last month, she stressed the need for swift progress in negotiations to navigate the intricacies and differences between House and Senate proposals.

"Speaker Johnson needs to get back to the spending deal that he voted for and work with us to pass bipartisan, full-year spending bills without poison pill riders—that's the minimum," Senator Murray said.

### Farm Bill Prospects Look Gloomy

The 2023 Farm Bill remains deadlocked in both the Senate and the House due to ongoing differences over limited resources. The one-year extension to the current farm bill expires on September 30.

The key debate revolves around how to fund anticipated increases in "reference" prices for farm commodities, impacting government support to farmers during market price declines. Balancing this adjustment could potentially affect conservation efforts if funding is redirected from programs like the Inflation Reduction Act's (IRA's) climate-smart conservation initiatives, which some Republicans are eyeing as a funding source for boosting the next Farm Bill.

Senate Agriculture Chair Debbie Stabenow (D-MI), in her final tenure overseeing the Farm Bill, has pledged to maintain the focus on climate-friendly conservation programs in the bill's drafting.

The Family Farm Alliance has been working with members of the Western Agriculture and Conservation Coalition to advance Farm Bill legislative concepts with Congress that are intended to better streamline the implementation of the Natural Resources Conservation Service Regional Conservation Partnership Program and the PL-566 program (see December 2023 "Monthly Briefing").



*U.S. Rep. Kevin McCarthy (R-CA) will not seek reelection.*

## Subcommittee Probes Legality of CEQ Agreement to Breach Snake Dams

The U.S. House Subcommittee on Water, Wildlife and Fisheries (WFF) Chaired by Congressman Cliff Bentz (R-OREGON) last month conducted an oversight hearing to scrutinize a leaked draft settlement agreement from the Biden Administration in an ongoing legal battle concerning the fate of 4 dams in the Pacific Northwest.

The Administration, along with other involved parties including the states of Oregon and Washington, has been engaged in settlement discussions for over two years, aiming for a long-term strategy to restore native fish populations, honor commitments to Tribal Nations, provide clean power, and address regional stakeholders' resilience needs.

Republican lawmakers, led by Chair Bentz, have criticized these confidential negotiations, arguing for Congress's inclusion, and expressing concerns over vague language in leaked mediation documents.

"The so-called negotiations were closed to the public," said Chairman Bentz. "The parties were bound by gag agreements, and the group was designed to leave out ratepayers, irrigators, navigational interests and communities dependent upon the flow of commerce up and down the 465 miles of Columbia and Snake rivers."

The hearing, titled "Left in the Dark: Examining the Biden Administration's Efforts to Eliminate the Pacific Northwest's Clean Energy Production," was scheduled just three days before the Biden Administration announced a settlement deal in a lawsuit pending in the U.S. District Court for the District of Oregon.

### WFF Subcommittee Hearing

Three days in advance of the Biden Administration's announcement, the WFF Subcommittee conducted its hearing. In his opening statement, Chairman Bentz noted National Oceanic and Atmospheric Administration's (NOAA) shifting policy regarding the Snake River dams' impact on salmon and the Biden Administration's refusal for months to provide details to Congress on its "mediation commitments" negotiated with groups intent on breaching the dams.

Chairman Bentz called the CEQ agreement "a narrow, elitist, top-down, big government, progressively burdened product of the first order," noting the agreement will lead to greater litigation and that the mediation process exceeds CEQ's statutory authority.

The Subcommittee heard testimony outlining sweeping economic impacts that could be forced on the Pacific Northwest, including agriculture, irrigation, electricity supply and navigation of billions of dollars in commerce as a result of breaching the dams.

The Lower Snake River dams play a critical role in reducing emissions, by barging between 50 and 60 million tons of cargo through the river system annually. In 2019, it would have taken over 150,000 semi-trucks, or over 39,000 rail cars to move the cargo that was barged on the Snake River.

Despite the continuous improvements to the Lower Snake River dams, litigious activist groups continue to focus on removing these four dams. In 2016, the Bonneville Power Administration estimated replacing the dams would increase

power costs by \$274 million to \$372 million annually.

At the hearing, Neal Maunu (Executive Director of the Pacific Northwest Waterways Association), representing over 150 ports, public utilities, farmers, forest product producers and other river users testified that the CEQ-led mediation broke down early in the process, cutting out millions of Northwest citizens from the discussions.

"A critical reassessment of this process is essential," Mr. Maunu testified. "We demand a seat at the table. Beyond the immediate risks to river transportation, navigation, and safety, the very livelihoods of the hundreds of thousands reliant on this river system hang in the balance."

Scott Simms, Executive Director of the Public Power Council, representing consumer-owned electric utilities serving millions of customers in the Northwest, testified that commitments made by the U.S. Government in the document would be devastating to Northwest utility ratepayers, with up to a 50% increase in rates.

Congressman Russ Fulcher (R-IDAHO) stated it would "gut the Northwest economy as we know it," noting that it ignores the impact of one million irrigated acres, tens of millions of dollars of annual recreation revenue, and would decimate barge transportation for inland ports.

"It's not good for people and there's no confirmation that it will work for salmon," Rep. Fulcher said.

Lindsay Slater, former chief of staff to Idaho Rep. Mike Simpson (R) - who is now vice president of government relations for Trout Unlimited - testified in favor of removing the Snake River dams.

"Climate change is already reducing overall flow and the Northwest must diversify its generating mix beyond snowpack-dependent hydropower, and invest in expanded and modernized transmission and distribution systems to ensure reliability," said Mr. Slater.

### Biden Administration Announcement

The Biden administration on December 15<sup>th</sup> announced a deal with four tribes in the region and the states of Oregon and Washington that seeks to restore salmon and other fish runs while also looking at eventually breaching four of the dams.

The settlement agreement calls for a 10-year détente in the litigation that began nearly 30 years ago and promises hundreds of millions of dollars in federal funds and other money for wild fish restoration in the Columbia River Basin over the next decade, along with support for clean energy production by the tribes, according to a White House statement.

Environmental groups like the litigious activist group Earthjustice (originally Sierra Club Legal Defense Fund) believe this settlement is a huge victory.

"We are now on a path to breach the four Lower Snake River dams," said Earthjustice Senior Attorney Amanda Goodin. "This marks a turning point in our decades-long litigation. Instead of attempting to defend yet another illegal dam

*Continued on Page 15*

## Alliance Sends in Comments on Proposed *Maui* Guidance Plus....Important Post-Sackett Ruling by 5<sup>th</sup> Circuit

The Family Farm Alliance in December submitted brief, focused comments on draft guidance released last year by the U.S. Environmental Protection Agency (EPA) that some fear place would an unprecedented burden on regulated entities that may have a groundwater discharge to surface waters.

These new challenges would include “new expectations of technical due diligence for National Pollutant Discharge Elimination System (NPDES) permit applications, greater scrutiny of these newly needed and costly technical evaluations, and aggressive compliance and enforcement efforts by EPA,” according to a recent article published in the December 5, 2023 edition of the *National Law Review*.

EPA’s draft guidance essentially toughens a Trump-era measure implementing the Supreme Court’s 2020 decision requiring Clean Water Act (CWA) permits for some groundwater releases. The guidance implements the Supreme Court’s ruling in *County of Maui v. Hawaii Wildlife Fund* on Oct. 30. Once final, the new guidance could help shape what factors EPA and state permitting authorities must consider when deciding whether discharges into groundwater that will make their way into navigable waters require NPDES permits.

The *Maui* decision, authored by Justice Stephen Breyer for a 6-3 court, held that even though the CWA generally does not restrict groundwater pollution, it can still require permits for releases that are the “functional equivalent” of a discharge into protected surface waters, even if the pollutants enter groundwater initially.

The Trump administration issued its guidance document in early 2021, just days before the end of President Donald Trump’s term. But the Biden administration rescinded the document and the new Administration’s EPA sent the Maui notice to the Office of Management and Budget shortly before the Supreme Court’s *Sackett v. EPA* ruling, which significantly narrowed the definition of “waters of the United States” (WOTUS).

Susan Bodine, a former top Trump EPA official at EPA posted in a November 27 blog post that the agency’s draft guidance deviates from the SCOTUS ruling and includes language more appropriate for a binding rule rather than non-binding guidance. She noted that language in the draft guidance suggests that measuring pollutant mass or concentration alone is sufficient to meet the *Maui* “functional equivalent” test.

“While it may be easy for EPA to implement, such an analysis has even less statutory support than the ‘fairly traceable’ test that the justices held was inconsistent with the CWA,” Ms. Bodine wrote. “I doubt either EPA’s enforcement office or the Department of Justice would want to defend that position in court.”

The Family Farm Alliance decided to take a less lofty legal approach and focused on a more practical, focused message in its comment letter to EPA.

“There’s a lot that could be said about the new draft guidance,” said Alliance General Counsel Norm Semanko. “We decided to keep our focus narrow on what matters most to irrigated agriculture. We urged EPA to provide additional clarity to the draft guidance emphasizing that existing exemptions from the NPDES permit requirement are not negated or otherwise impacted by the *Maui* decision.”

This approach was consistent with how the Alliance addressed the Trump guidance and was similar to the message delivered to EPA at a public forum on this matter in June 2021.

“Our final letter to EPA in late December 2023 also reflects this philosophy,” said Alliance Executive Director Dan Keppen.

### 5th Circuit Strictly Interprets *Sackett* Directive Over WOTUS Definition

Meanwhile, a federal appeals court has dismissed federal regulators’ attempts to subject a Louisiana landowner’s property to CWA permitting requirements, marking the end of a decade-long dispute over the jurisdiction of WOTUS under the CWA.

Federal 5<sup>th</sup> Circuit Court of Appeals Judge Edith Jones’s opinion, aligning with the high court’s *Sackett v. EPA* decision, determined that Garry Lewis’s property

lacks the necessary “continuous surface connection” between wetlands and significant bodies of water required for federal CWA jurisdiction.

“We hold that the Supreme Court’s recent decision in *Sackett v. EPA* controls the undisputed facts here and mandates that Appellants’ property lacks ‘wetlands [that] have ‘a continuous surface connection to bodies that are [WOTUS] in their own right, so that there is no clear demarcation’ between waters and wetlands, Judge Jones said.

The panel, comprising judges appointed by presidents Obama, Trump, and Reagan, vacated a previous district court’s judgment, and instructed a ruling in favor of Lewis, emphasizing the clear absence of a connection between the property’s wetlands and any permanent water bodies.

Some legal experts believe this decision is a shift away from deference to EPA interpretations, signaling potential challenges to the agency’s expanded WOTUS rule and predicting continued judicial reliance on the *Sackett* precedent to define the scope of CWA jurisdiction, unless Congress intervenes.



## Strong Turnout for 2023 CRWUA Annual Conference ....And Other Colorado River News

Family Farm Alliance leaders and members made the trek to the desert Southwest last month to engage in the 2023 Colorado River Water Users Association (CRWUA) Conference in Las Vegas (NEVADA), joining over 1,300 other conference attendees for the three-day event.

CRWUA is an organization made up of nearly 1,000 members from throughout the upper (Colorado, New Mexico, Utah and Wyoming) and lower (Arizona, California and Nevada) basins and serves as an annual forum for openly discussing important issues on the river.

Sharon O'Toole, wife of Alliance President Patrick O'Toole, shared her experiences through a series of blog posts from the event, one posted for each day of the conference. The O'Tooles attended CRWUA in 2022, where the lack of representation from agriculture and the tribes was "glaringly apparent", according to Ms. O'Toole.

"In 2022, we passed out a Family Farm Alliance press release regarding the importance of agriculture in the Colorado River system," she said. "This year, one panel features discussion about agriculture, and the tribes have a large presence, with several panels and discussion groups. The tribes even had a hospitality room, where they could tell their story."

### Colorado River Basin State Perspectives

The conference general session discussions and presentations centered on shaping the Post-2026 Colorado River operation guidelines for critical reservoirs and formalizing tribal inclusion in the negotiations process.

Day Two of the conference began with a panel discussion featuring each of the seven Colorado River Basin States. Panelists for the most part agreed that continued collaboration and compromise between the states was critical to future success and the health of the watershed.

John Entsminger, Southern Nevada Water Authority, said that there would be no silver bullet for solving Colorado River deficits, but rather, many rather a collection of individual silver "buckshot" made up of incremental deals and savings.

"The savings we need are all around us. They're small. They're incremental, but they're there....", said Mr. Entsminger. "I'm asking every water user to look at every water use and figure out how incrementally we all contribute our little BB of silver buckshot to the solution."

Rebecca Mitchell, Colorado's representative on the Upper Colorado River Commission, was blunt in her criticism of the Lower Basin's "overuse" of system water.

"Colorado water users are not interested in striking a deal that continues to allow Lower Basin overuse to deplete storage, drive the system to crisis, and then look upstream to us for help," she said, emphasizing the need to live within the hydrology of the river and to address the structural deficit, which is the amount of water lost to evaporation and transit in the Lower Basin (currently unaccounted for in supply-demand balance sheets) plus the Lower Basin states' obligation to Mexico.

The structural deficit amounts to about 2.25 million acre-feet per year, which has been satisfied in the past by system storage that has diminished in recent years due to reduced inflows to Lake Powell and Lake Mead.

"I look forward to working alongside Arizona, California, and Nevada, along with upper-division partners, to achieve this important goal of making sure we protect water users across the basin from another series of crises on the river well into the future," Ms. Mitchell concluded.

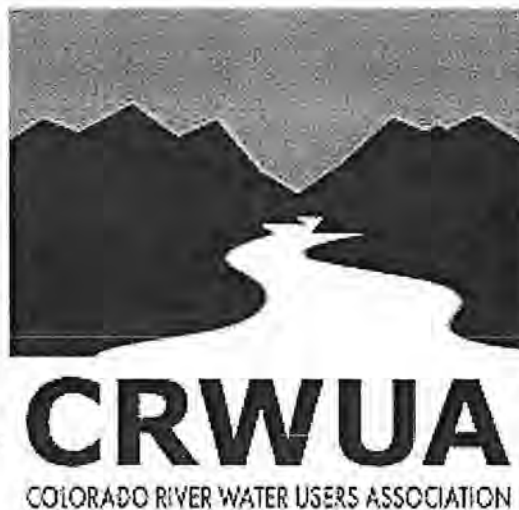
### Sovereign Discussions

The panelists who presented at the 2023 CRWUA gathering were diverse. The last two days of the conference featured several sovereign representatives and speakers working in rural areas of the Basin who addressed the importance of agriculture and energy uses on the Colorado River.

Day Three was devoted to "The Sovereigns." For the first time, the Indian tribes were recognized at the conference as the sovereign nations that they are. Presentations by tribal leaders, including Amelia Flores from Colorado River Indian Tribes, and Manuel Heart from the Ute Mountain Ute Tribe advocated for tribal interests on the River, where they reminded everyone they hold 25 percent of the water in settled rights, and the possibility for more litigation for unsettled rights.

"Tribal representatives made it clear, throughout the conference, that their voices are here to stay," Ms. O'Toole observed. "They intend to be at the table along with representatives of the seven states. They intend to see infrastructure built, wet water delivered, and money paid for water going downstream to other users."

Representatives from Mexico spoke about the "strong partnership" with their American partners and also emphasized that they, too, are very much at the table regarding Colorado River issues. Counsel Julian Escula Rodriguez called for cooperation along the shared border and with the shared resources.



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## Colorado River Developments (*Cont'd from Page 7*)

"Conflict is harmful," he said, echoing the overall atmosphere of the three-day event, meeting.

### BOR and California Water Users Sign Agreements

On the first day of CRWUA, Imperial Irrigation District, Metropolitan Water District of Southern California, San Diego County Water Authority, Fort Yuma Quechan Indian Tribe, Palo Verde Irrigation District, Coachella Valley Water District, and the Bureau of Reclamation (Reclamation) signed the first in a series of agreements that will conserve up to 1.6 million acre-feet of water to remain in Lake Mead, the Lower Basin's largest storage reservoir.

Reclamation also announced it would direct \$295 million of federal dollars drawn from allocated funds in the Inflation Reduction Act (IRA) to Colorado River water conservation efforts expected to generate up to 643,000 acre-feet of water savings in Lake Mead through 2025.

"These agreements represent another critical step in our collective efforts to address the water management challenges the Colorado River Basin faces due to drought and climate change," said Reclamation Commissioner Camille Calimlim Touton. "Addressing the drought crisis requires an all-hands-on-deck approach, and close collaboration among federal, state, Tribal and local communities. When we work together, we can find solutions to meet the challenges of these unprecedented drought conditions."

The objective of the agreement is to bolster the levels of water in Lake Mead and Lake Powell, vital reservoirs for sustaining communities, agriculture, and hydropower generation in the Colorado River Basin. Viewed collectively, the upcoming efforts aim to ultimately conserve up to 1.6 million acre-feet of water in Lake Mead.

According to the California entities involved in the deal, these efforts represent a crucial step toward securing the water future of the region after dealing with several decades of extreme drought conditions.

"Less than a year ago, we faced the worst possible consequences of drought and interstate conflict. Today, California's agricultural, urban, and tribal users are banding together through these agreements to protect the Colorado River as part of the Lower Basin Plan with the instrumental support of

the Bureau of Reclamation. It's an incredible turnaround," said JB Hamby, Chairman of the Colorado River Board of California and Colorado River Commissioner for California.

### Interior Announces \$72M for Salton Sea Restoration

The Department of Interior last month also announced \$72 million from the Inflation Reduction Act (IRA) to accelerate restoration of the Salton Sea, California's largest lake. The funding will expedite implementation of the state's 10-year Salton Sea Management Plan by accelerating dust suppression, aquatic-restoration, and water conservation efforts needed to protect the important wildlife habitats and the surrounding communities.

Approximately 60 miles from Palm Springs, California, the Salton Sea has suffered from declining inflows of water in recent years, due in part to reduced agricultural runoff. The exposed lakebed is contributing to dust emissions in the surrounding environment, and declining water levels have reduced important wildlife habitat.

Acting Deputy Secretary of the Interior Laura Daniel-Davis and Reclamation Commissioner Touton announced the agreements during an event in Imperial County (CALIFORNIA).

Among other provisions, the agreement includes \$70 million to the state of California to fund expansion of the Species Conservation Habitat Project, which will create up to 7,000 acres of aquatic habitat for wildlife and cover exposed lakebed.

The IRA investment complements the \$583 million in state funding committed to date for Salton Sea projects.

An additional \$178 million of funding will be made available upon the implementation of voluntary conservation actions by the Imperial Irrigation District (IID) and Coachella Valley Water District under the Lower Basin System Conservation and Efficiency Program.

"The Salton Sea and the Colorado River are inextricably linked historically and especially today," said Mr. Hamby, who also serves as vice president of the IID board of directors. "And with this funding for the Salton Sea, the Bureau of Reclamation has allowed this unprecedented amount of conservation across the lower basin, but in particular, through the Imperial Valley to take place."



*Imperial Irrigation District, Metropolitan Water District of Southern California, San Diego County Water Authority, Fort Yuma Quechan Indian Tribe, Palo Verde Irrigation District, Coachella Valley Water District, and the Bureau of Reclamation (Reclamation) last month signed the first in a series of agreements that will conserve up to 1.6 million acre-feet of water to remain in Lake Mead. Photo source: Imperial Irrigation District*

## Forest Health and Wildfires Remain Top Priorities in D.C.

While 2023 in America saw the smallest number of acres burned in more than two decades, wildfires and forest health remained a top priority for policy and law makers in Washington, D.C., as the year came to an end.

"We are coming to the end of – at least on paper – one of the most quiet wildfire seasons that we have seen in a generation," Brad Rippey, a meteorologist with the Department of Agriculture (USDA), said in a recent agency broadcast.

The numbers show a wildfire season with more than 2.6 million acres burned as of December, according to data from the National Interagency Fire Center. It's the lowest number dating back to 1998, when 1.3 million acres were burned, according to a recent *U.S. News and World Report* article.

In Washington, D.C., the Biden Administration announced new proposals to manage old-growth forests and rapidly scale reforestation across millions of burned and degraded acres. Republicans in Congress criticized the old-growth proposal, while conducting a hearing that focused on ways to improve forest management on both tribal and federal forests.

### Old-Growth Forest Management

In a continuation of President Biden's Executive Order 14072 focused on old and mature forests, USDA last month announced its proposal to alter forest land management plans related to old-growth forests and grasslands across the country. This will restrict timber harvests on roughly 32 million acres of federal lands that have been identified as old growth.

The proposed amendment all 128 forest land management plans seek to use the best available science, including Indigenous Knowledge, to provide consistent direction related to old-growth forest conditions across national forests and grasslands.

"Old-growth forests are a vital part of our ecosystems and a special cultural resource. This proposed nationwide forest plan amendment – the first in the agency's history – is an important step in conserving these national treasures," said Agriculture Secretary Tom Vilsack. "Climate change is presenting new threats like historic droughts and catastrophic wildfire. This clear direction will help our old-growth forests thrive across our shared landscape."

In June 2022, Secretary Vilsack followed through on Executive Order 14072 and directed the USDA Forest Service to take action to address the impacts of climate change, restore forests and support forest resilience.

These actions include defining and conducting the first-ever nationwide inventory of old-growth and mature forests across national forests and grasslands. USDA has also released the Climate Risk Viewer, a tool to assess climate risks and vulnerabilities on national forests and grasslands.

Additional actions to implement the direction from the Executive Order and the Secretary's memo are forthcoming, including the finalization of a threat analysis on mature and old-growth forests and a proposed new national policy for

monitoring the health of national forests and grasslands. The Forest Service will continue to advance strategies and engage critical partners to build resilience and ensure future actions are responsive to the significant climate stressors that forests face.

Republicans in the House of Representatives—including Natural Resources Committee Chairman Bruce Westerman (R-Ark.) - were critical of the announcement.

"Instead of using proven active management techniques to mitigate wildfire risk, curb diseases and give land managers critical tools for suc-

cess, this action instead takes valuable practices off the table, leaving many of our forests even more vulnerable," said Chairman Westerman, who is a professional forester. "I remain fully committed to enacting solutions that restore health and resiliency to forests of all ages. I hope the administration can work with us on these policies rather than continuing to pursue arbitrary and unscientific preservationist regulations that do nothing but harm."

### USDA / American Forests Reforestation Agreement

The conservation organization American Forests last month announced a first-of-its-kind \$20 million keystone agreement with the Forest Service to help the agency organize and rapidly scale climate-adapted reforestation across millions of burned and degraded acres over the next five years.

"American Forests is proud to lead on REPLANT Act implementation through this comprehensive partnership with the Forest Service," said Jad Daley, president and CEO of American Forests. "Together, we will accelerate climate-smart reforestation across national forests, helping to restore the health of these priceless public lands."



*The plume of the Bootleg Fire as viewed near the Bureau of Reclamation's Olene Flume, over 40 miles distant, July 2021. Before being fully contained on August 15, 2021, it had burned 413,765 acres. It is the third-largest fire in the history of Oregon since 1900.*

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## Forest Health and Wildfires (*Cont'd from Pg. 8*)

The mission of American Forests is to create healthy and resilient forests, from cities to wilderness, that deliver essential benefits for climate, people, water and wildlife. The organization advances its mission through forestry, innovation, place-based partnerships to plant and restore forests and movement building.

Across the U.S., a growing backlog of National Forest System lands need reforestation, driven in part by restrictive regulations, litigation and the escalating impact of climate change on U.S. forests. Large, high-severity wildfires are driving 81 percent of reforestation needs on national forests, outpacing the agency's capacity to restore these lands following such fires.

Authorized by the REPLANT Act provisions contained in the 2021 Bipartisan Infrastructure Law (BIL), this partnership will enable American Forests to aid the Forest Service to quickly assess, prioritize and plan for reforestation needs, fill gaps in climate-resilient restoration planning and bolster reforestation planning by expanding nursery production, growing the forestry workforce and increasing seed collection capabilities.

The REPLANT Act removed a cap on Forest Service funding for reforestation, allowing the agency to now access nearly ten times more in reforestation investments annually. Prior to the REPLANT Act, the Forest Service had only been able to address six percent of the reforestation backlog each year.

With this additional capacity, the Forest Service is now positioned to help address an estimated backlog of at least four million acres of National Forest System land in need of reforestation – a number that has jumped due to recent increases in severe wildfire.

"Reforestation is an important investment for the future and resiliency of forests across the country," said Forest Service Chief Randy Moore. "This agreement with American Forests will help the agency reduce the backlog of reforestation needs to support wildfire and disaster recovery, identify future reforestation needs, and improve our ability to monitor the impact and outcomes of this important work."

### Tribal Leaders Testify on Ways to Enhance and Forest Management

The House Subcommittee on Federal Lands last month held an oversight hearing focusing on ways to improve forest management on both tribal and federal forests. Subcommittee members discussed developing innovative proposals to encourage and facilitate cross-boundary coordination on forest management projects that will lead to lasting changes to improve the health of all our nation's forests.

Members also heard from administration officials on the issues and local leaders in tribal communities for their expertise on this important topic.

Robert Rice, Council Member for the Mescalero Apache Tribe (NEW MEXICO) testified to the importance of hazardous fuel reduction projects, which he said are vital to the

Tribe's forest management practices.

"Forests are living organisms," Mr. Rice testified. "With reductions in density, trees and ground cover are better able to thrive. By reducing tree densities to ensure the crowns are not touching, we greatly enhance the available water, light and nutrients each individual tree receives. With open forest conditions, pine seedlings have a better environment to germinate, resulting in increased forest regeneration."

Tribes, along with state and local leaders, are becoming increasingly important partners in cross-boundary efforts to improve federal forest health. Challenges persist for tribal forest land, however, including continued wildfire threats and forest health concerns, staffing shortcomings, insufficient coordination of forest management activities and the lack of needed infrastructure.

Frivolous litigation and burdensome regulations also create challenges for federal forest management.

For example, in late November 2023, environmental litigants filed suit to stop a massive effort to replant tens of thousands of giant sequoias on areas burned in wildfires in California's Sequoia and Kings Canyon national parks. The environmental groups claim the project is inappropriate because the burned areas are designated "wilderness," where human intervention is prohibited.

"Wilderness is for natural processes and natural succession," Chad Hanson, research ecologist and director of the John Muir Project, told the *San Francisco Chronicle*.

Park Service spokespersons contend that restoring the groves is the most responsible course of action and scientifically sound.

"There's a lot of research behind what we're doing," Public Affairs Officer Sintia Kawasaki-Yee told the *Chronicle*. "It's not a decision that's taken lightly."

The Family Farm Alliance for the past decade has prioritized federal engagement efforts towards restoring our dead and dying federal forest lands through active forest management and working to better quantify watershed health improvements associated with these and other water conservation actions.

"Active forest management can increase water yield, improve water quality, provide jobs, and reduce the cost of fire-fighting while increasing forest resiliency," said Alliance Executive Director Dan Keppen.



## Biden Administration Pushes “Nature-Based Solutions”

The Biden Administration’s Department of the Interior last month at the 28th Conference of the Parties (COP28) in Dubai announced new steps to utilize “nature-based solutions” (NbS) in its efforts to tackle the climate crisis, including the launch of a new tool to make those strategies more accessible to the public.

Interior Department Assistant Secretary for Fish and Wildlife and Parks Shannon Estenoz in Dubai highlighted NbS as key to improving the resilience of lands, waters, wildlife and communities in the face of climate change.

“Investing in nature is investing in ourselves. By employing nature-based solutions, land managers and decision makers can restore and sustain healthy ecosystems that in turn support healthy communities and economies,” said Assistant Secretary Estenoz.

NbS use or mimic natural features or processes to improve biodiversity, strengthen resilience for disaster and hazard-risk management, support climate adaptation, and address carbon management to offset greenhouse gas emissions, while also benefiting both people and nature. These can include green-infrastructure, natural infrastructure, and natural climate solutions.

In partnership with Duke University’s Nicholas Institute for Energy, Environment & Sustainability, DOI released its Nature-based Solutions Roadmap, an online tool that will provide the Department, and the public at large, guidance on the implementation of NbS. The Roadmap includes implementation strategies, project planning resources, and successful example projects throughout the United States.

DOI also announced a new policy intended to strengthen the Department’s ability to meet its mission in the face of a changing climate by prioritizing NbS across bureaus and offices.

The policy will provide land managers and decision makers with guidance on using NbS climate solutions, and will center collaborative partnerships, equity, environmental justice, and the use of the best available evidence. DOI is prioritizing high return NbS investments that “connect lands and waters, promote cross-bureau collaboration, and leverage partnerships”.

DOI’s Bureau of Reclamation last month also announced more than \$51 million in WaterSMART funding for 18 rivers and watershed projects in California, Colorado, Montana, Nevada, New Mexico, Oregon, Washington, and Wyoming. Selected project activities include NbS like floodplain expansion and connection, fish passage development, and habitat repair.

“Through President Biden’s Investing in America agenda, we are advancing nature-based solutions that benefit local water supplies, and the wildlife and habitats that support

them,” said Secretary Deb Haaland. “The Interior Department continues to advance water solutions that are environmentally and economically sound for the American West.”

Family Farm Alliance members will benefit from last month’s announcement.

The Northern Colorado Water Conservancy District received \$761,000 for its Kawuneeche Valley Ecosystem Restoration Project, which will study and design a suite of restoration projects within the Kawuneeche Valley aimed to return the landscape to a natural beaver-willow ecosystem. Over the past three decades, elk and moose browsing has reduced the density and area of the valley’s native tall willow stands, severely limiting material for beaver dam construction, leading the species to leave the area. As a result, the valley landscape has changed from one of the most significant wetlands in Colorado into an unnatural grassland ecosystem.

In Oregon, the North Unit Irrigation District will receive nearly \$6 million from Reclamation to replace existing, rotary drum fish screens with upgraded, flat plate screens and a traveling screen cleaning system at the district’s main canal intake on the mainstem of the Deschutes River, home to brown and rainbow trout, the rare brook trout, whitefish, and transient fingerling coho and kokanee from Wickiup Reservoir, a Reclamation Project. The design of the new screens will slow the approach velocity, shrink the mesh size of the screen, and provide a safe path for fish to the fish ladder.



### NbS Opportunities in the Colorado River Basin

Alliance representatives in the past year have been interviewed by the Meridian Institute about challenges and opportunities associated with implementing and scaling NbS on public lands in the Colorado River Basin.

Now, based on the input received through that interview process, Meridian Institute is hosting a series of virtual engagements in early March 2024 with support from the Walton Family Foundation focusing on key topics that emerged from conversations with Federal and State agency staff, non-profit organizations, public water utilities, researchers, landowners, consultants, and others involved in NbS implementation on public lands.

“The best opportunities are to, wherever possible, work with ranchers who have permits with the Forest Service / BLM to ensure their interests are addressed,” said Alliance Executive Director Dan Keppen, who was interviewed by the Meridian Institute. “Water users will want to see positive outcomes – better water quantity (watershed yield), water quality, flood control, aquifer recharge, and / or biodiversity. Success should not be measured in terms of dollars spent. Good ‘management’ does not equate to land acquisition that changes the use of the land.”

## COP 28: Farmers as “Front Line Actors”?

Climate-smart agriculture and forestry took center stage last month at the 2023 United Nations Climate Change Conference (COP28) in Dubai, despite a proposed ‘Call to Action’ that omitted the words “agriculture” and “farmers”, replacing them instead with “food system” and “food system front line actors”.

Key leaders in the Biden Administration leadership team were present, as were American agricultural producers represented by Solutions from the Land (SfL).

Among other goals, the Food and Agriculture Organization (FAO) of the United Nations seeks to reduce agriculture’s methane emissions by 25 percent by 2030 (relative to 2020), achieve carbon neutrality for agrifood systems by 2035 and turn food systems into a carbon sink by 2050.

Long-time critics of agriculture are seeking transformational changes to global food systems and don’t think FAO’s plans do enough to tackle emissions associated with food production.

“I’m extremely disappointed that the FAO’s roadmap fails to express the urgency of reducing meat and dairy consumption and production to meet the targets set by the Paris climate agreement,” said the Center for Biological Diversity’s Stephanie Feldstein in a statement.

The Family Farm Alliance (Alliance) in past years has closely monitored United Nations (U.N.) global climate talks, primarily through its involvement with SfL, which seeks to bring the voice of North American producers and land managers to the discussion table. Alliance President Patrick O’Toole traveled to Scotland two years ago and directly participated in the COP26 talks.

### Farmers in Dubai

According to SfL Co-Chair A.G. Kawamura, it has been 14 years of gentle pressure and relentless perseverance to get agriculture to where it is now on the COP agenda. The Inaugural Food and Ag Day held at COP 28 represented the first time an entire conference day, with over 200 targeted events, was dedicated to the Global Agri-Food System.

“It was a momentous year for attendees – especially first-time ag-driven attendees,” Mr. Kawamura said.

In the weeks leading up to the Dubai conference, several statements and position papers were introduced to the ministerial negotiators. These efforts helped set the stage for further deliberations at COP28. They also set the stage for one of SfL’s main missions in Dubai: ensuring farmers were not omitted from the governing body’s positions and conversations.

One pre-COP28 “call to action” paper from a group called the Climate Action Champions actually proposed omitting the terms “agriculture” and “farmers” entirely, replacing them instead with “global food system” and “front line actors”. During the conference, Mr. Kawamura spoke up on behalf of the Farmers Constituency, urging leaders to reconsider their wording and agriculture’s role.

“Farmers are not actors on the stage of humanity,” said Mr. Kawamura at the Dec. 8 COP 28 Preliminary Session. “Farmers have built the stage that allows humanity to exist and act out the tragedy, drama or enlightenment of our existence.”

### Secretary Vilsack Highlights USDA’s Climate Leadership

Secretary of Agriculture Tom Vilsack and other high level Biden Administration officials highlighted the U.S. commitment to investing in innovative climate solutions, quantifying and demonstrating results, and sharing resources and solutions with the world.

“COP28 comes at a critical juncture, seven years after the Paris Agreement entered into force and seven years before 2030, when significant targets must be met to keep us within reach of the goal of limiting global warming to 1.5 degrees Celsius,” Secretary Vilsack said. “USDA and the Biden-Harris Administration are making unprecedented investments in climate-focused practices and partnerships and, as we share our learnings from American agriculture and forestry on a global scale, the progress we’re making domestically will also have international benefits.”

Secretary Vilsack highlighted the fact that President Biden’s Inflation Reduction Act (IRA) provides billions of dollars to reduce agricultural greenhouse gas emissions, encourage new economic activity in rural areas, and protect the communities most vulnerable to the impacts of climate change. This includes nearly \$20 billion in USDA investments to help producers implement practices and projects that reduce emissions, enhance soil carbon sequestration and provide other climate benefits.

The Secretary in Dubai reported that nearly all of the “Partnerships for Climate-Smart Commodities” pilot projects have finalized their contracts. USDA has invested more than \$3 billion in projects that provide verifiable on-farm emissions reduction and carbon sequestration benefits, while also creating new market opportunities for producers who use climate-smart practices.

Measurement, monitoring, reporting and verification (MMRV) are key components of this program, and USDA is also expanding its focus on MMRV activities in the forestry sector, on lands enrolled in the Conservation Reserve Program, and on working agricultural lands nationwide.

Secretary Vilsack and other USDA officials also highlighted USDA’s innovative, on-farm tools that measure the effectiveness of conservation practices, noting that those tools are now being used to help land managers quantify their greenhouse gas footprints and estimate the benefits of actions to reduce emissions.

Additional investments have also been made to enhance the resilience of forests and grasslands through the Innovative Finance for National Forests grant program, funded and ad-

*Continued on Page 12*

## COP28 Meetings (Continued from Page 11)

ministered by the USDA Forest Service and the U.S. Endowment for Forestry and Communities.

Alliance President O'Toole believes American farmers and ranchers can be part of constructive and realistic solutions to global climate challenges.

"If the goal of no more warming than 1.5 degrees centigrade has a hope of being met, it will take all sectors," said Pat O'Toole. "The solutions are not simplistic and will take an all-globe effort. The solutions offered by agriculture and forestry practices are and will be key."

### National Strategy to Reduce U.S. Food Waste

USDA joined EPA and the Food and Drug Administration during COP28 in publishing the Draft National Strategy to Reduce U.S. Food Loss and Waste, which outlines targeted actions to mitigate the environmental repercussions of wasted food, including its impact on climate, and to increase recycling of organics, reduce greenhouse gas emissions, save households and businesses money, and build cleaner communities.

"Food loss and waste poses a real challenge to agriculture, food and the climate. In order to tackle this problem, and in turn build a resilient food system and mitigate climate impacts, we must explore and implement innovative solutions," said Secretary Vilsack. "This joint effort between USDA, EPA, and FDA will enhance inter-agency coordination and represents a vital step towards preventing food loss and waste, increasing organic waste recycling, and promoting economic opportunity."

### DOI's Commitment to Tackling the Climate Crisis

Interior Department Assistant Secretary for Fish and Wildlife and Parks Shannon Estenoz and other Interior leaders were also present at COP28. Throughout the trip, the delegation met with international leaders and stakeholders to highlight and affirm the Department's commitment to tackling the climate crisis with collaborative, science-based solutions.

Assistant Secretary Estenoz also participated in the "America the Beautiful: United States Efforts to Conserve

Land and Water" panel, where they showcased the Administration's progress towards President Biden's goal to "conserve, connect, and restore 30 percent of America's lands and waters" by 2030. She also announced new steps the Department is taking to utilize nature-based solutions in its efforts towards that end. (See related story, Page 10).

"Investing in nature is investing in ourselves," said Assistant Secretary Estenoz. "By employing nature-based solutions, land managers and decision makers can restore and sustain healthy ecosystems that in turn support healthy communities and economies."

### White House Announces Climate Corps Next Steps

The Biden Administration's American Climate Corps initiative last month announced plans to deploy 20,000 young individuals across federal agencies to tackle climate change and promote renewable energy.

Within the first three weeks of launching the American Climate Corps last September, more than 40,000 people, about two-thirds of whom are ages 18-35, expressed interest in joining the initiative.

Seven federal agencies in December signed an agreement outlining guidelines for the program, aiming to address climate challenges and disparities in youth education and careers. Listening sessions with influential "climate champions" will kick off this month preceding the formal launch of a 2024 recruitment portal this spring for a summer deployment.

EPA Administrator Michael Regan emphasized the agency's central role, joining an executive committee alongside other Cabinet members and the AmeriCorps CEO. Inspired by the New Deal-era's Civilian Conservation Corps (CCC), the initiative would leverage existing collaborations to maximize its reach,

utilizing executive action under existing authorities and funding amid unmet appropriations requests from Congress.

"The Climate Corps represents a significant step forward in engaging and nurturing young leaders who are passionate about climate action, furthering our journey towards a sustainable and equitable future," said Administrator Regan.

**AMERICAN CLIMATE CORPS**

*"The Climate Corps represents a significant step forward in engaging and nurturing young leaders who are passionate about climate action, furthering our journey towards a sustainable and equitable future."*

**EPA Administrator Michael Regan**

**Image source: Office of Ranking Member Raul Grijalva, House Committee on Natural Resources**

## Different Agendas: GOP, Democrats Note ESA 50<sup>th</sup> Anniversary

December 28, 2023 marked the golden anniversary of the federal Endangered Species Act (ESA) of 1973, the primary law in the United States for protecting and conserving imperiled species. President Biden issued a proclamation extolling the virtues and success of the ESA. Republicans in Congress marked the 50<sup>th</sup> anniversary by introducing legislation intending to make the Act more flexible to administer.

The very significant federal presence in the West presents unique challenges that producers may not face in other parts of the U.S., particularly with respect to the reach of the ESA. Federal agency implementation of this law has had very significant impacts on how producers manage land and water.

"A prime factor concerning Western irrigators is the employment of the ESA by federal agencies as a means of protecting a single endangered or threatened aquatic species under the law by focusing on one narrow stressor to fish: water diversions," said Family Farm Alliance Executive Director Dan Keppen.

### POTUS Issues ESA Proclamation

President Biden last month proclaimed December 28, 2023 as the 50<sup>th</sup> Anniversary of the ESA and called upon Americans to "honor all the progress we have made toward protecting endangered species and to work together to conserve our Nation's incredible biodiversity."

In his proclamation, the president said that the ESA has prevented 99% of all fish, wildlife, and plants under its protection from going extinct. President Biden also noted his decision to establish the country's "first-ever National Conservation Goal" to conserve at least 30% of U.S. lands and waters by 2030, calling the goal "the heart of my 'America the Beautiful' initiative," and cited his initiative related to nature-based solutions (*see related story, Page 10*).

### House Bill Provides 'Flexibility' in ESA Implementation

House Republicans marked the Act's 50th anniversary in a much different manner, criticizing the success of the ESA and calling for its reform.

"We're now 50 years into the Endangered Species Act and the verdict is in: it's an outdated piece of legislation in desperate need of reform," said Rep. Bruce Westerman (R-Ark), Chair of the House Natural Resources Committee. "Throughout its entire history, only 3 percent of species listed under the act have been delisted. That kind of abysmal success rate clearly indicates the ESA is seriously flawed and in need of modernization."

Rep. Pete Stauber (R-MN) last month reintroduced H.R. 6784, the "ESA Flexibility Act," which aims to modify certain aspects of the 1973 law, focusing on habitat conservation plans to balance wildlife protection with economic activities like infrastructure development and resource extraction.

"I'm pleased to introduce the ESA Flexibility Act today, which creates latitude for species listed as threatened or endangered," said Congressman Stauber. "If we're to build in-

frastructure, permit electricity transmission, mine for resources needed for everyday life, and properly manage our forests, we need commonsense habitat conservation plans that protect wildlife without harming our economy."

Joining Rep. Stauber in introducing the legislation were Western House Republicans Cliff Bentz (OREGON), Dan Newhouse (WASHINGTON), Harriet Hageman (WYOMING) and Lauren Boebert (COLORADO).

Rep. Stauber's bill targets a specific issue: the management of endangered species, citing the example of the northern long-eared bat, which faced challenges transitioning from a threatened to an endangered status under recent Fish and Wildlife Service determinations.

The bill seeks to expand the flexibility allowed for managing species listed as endangered, like those listed as threatened, through what's known as a 4(d) rule under the ESA.

The 4(d) rule, which permits incidental take for threatened species under certain conditions like forestry activities, is not currently applicable to endangered species. Rep. Stauber's proposal aims to extend this flexibility to endangered species as well, a move criticized by some environmentalists as a weakening of the ESA's protection mechanisms.

Proponents of the legislation argue that the 4(d) rule is essential for conservation efforts, tailoring protections to prevent further decline while streamlining reviews of actions that could benefit the environment in the long term. However, critics view the bill as part of an anti-environmental agenda and a threat to the legacy of protecting endangered species.

"As discussions proceed, the proposed changes will face significant opposition from litigious environmental groups and some Democrat members in Congress," predicted Mr. Keppen.

### Western Caucus Foundation Releases New ESA Report

The Western Caucus Foundation, a nonprofit organization that supports the Western Caucus, the largest conservative caucus in the U.S. House of Representatives, last month issued its own report coinciding with the 50<sup>th</sup> anniversary of the ESA.

The report, titled "The Endangered Species Act at 50: A Record of Falsified Recoveries Underscores a Lack of Scientific Integrity in the Federal Program" was authored by Rob Gordon, who has over thirty years of experience with federal agencies, Congress, and The Heritage Foundation.

Using information from the U.S. Fish and Wildlife Service, Mr. Gordon finds that, with the listing of 1,667 threatened or endangered species, there are only 62 that have officially "recovered". Of these, 36—nearing 60%—are not real conservation 'success stories', he claims.

"These 'recoveries' are hollow, as they are inaccurate proclamations attributable to an erroneous original determination that the species was endangered or threatened," said Mr. Gordon. "This report documents that the Endangered Species Act in its present form is ineffectual at best."

The 120-page report was the subject of a press briefing conducted last month on Capitol Hill.

# California Advances Two Big Water Infrastructure Projects

## One of Them – Sites Reservoir – Hit With Lawsuit

Two pieces of infrastructure long touted by many as critical cogs to meeting future California water challenges are finally moving forward towards construction. One of them is already facing a lawsuit from one of the most litigious conservation groups in the country.

The California Department of Water Resources (DWR) last month approved the Delta Conveyance Project, a modernization of the water conveyance system that delivers water to millions of Californians.

Earlier in 2023, the Sites Reservoir Project was certified by Governor Gavin Newsom as being an eligible project under legislation that seeks to avoid costly and time-consuming litigation delays related to the California Environmental Quality Act (CEQA).

If ultimately approved, the project would establish an additional 1.5 million acre-feet of water storage capacity.

However, within weeks of the Governor’s announcement, a coalition of litigious conservation and environmental justice groups – led by the Center for Biological Diversity – filed a legal challenge to the largest reservoir project approved in California in decades.

### DWR Approves Delta Conveyance Project

DWR last month formally certified the Environmental Impact Report (EIR) and completed an extensive environmental review for the Delta Conveyance Project, variations of which have been debated within California water cycles for decades.

Delta conveyance refers to State Water Project (SWP) infrastructure in the vast network of waterways comprising the Sacramento-San Joaquin Delta (Delta) that collects and moves high-quality, clean, safe and affordable water to homes, farms and businesses throughout major regions of the state from the Bay Area to Southern California.

DWR is the owner and operator of the SWP and is responsible for all associated upgrades and maintenance, including the proposed Delta Conveyance Project that will modernize this water transport infrastructure in the Delta.

With the state expected to lose 10% of its water supply by 2040 due to hotter and drier conditions, the Delta Conveyance Project is a key part of the California’s Water Resiliency Portfolio and Governor Newsom’s Water Supply Strategy.

“Today marks another significant milestone in our efforts to modernize state water infrastructure and adapt to the challenges of changing precipitation patterns,” said Karla Nemeth, DWR Director, on the day the announcement was made. “The State Water Project is one of the most affordable sources of water in California, and we need to help local water agencies

in protecting both reliability and affordability for their ratepayers.”

Extreme weather whiplash driven by climate change is expected to trigger more intense swings between droughts and floods, intensely straining California’s 60-year-old SWP. During last January’s atmospheric rivers, the Delta Conveyance Project could’ve captured enough water for 2.3 million people’s yearly usage.

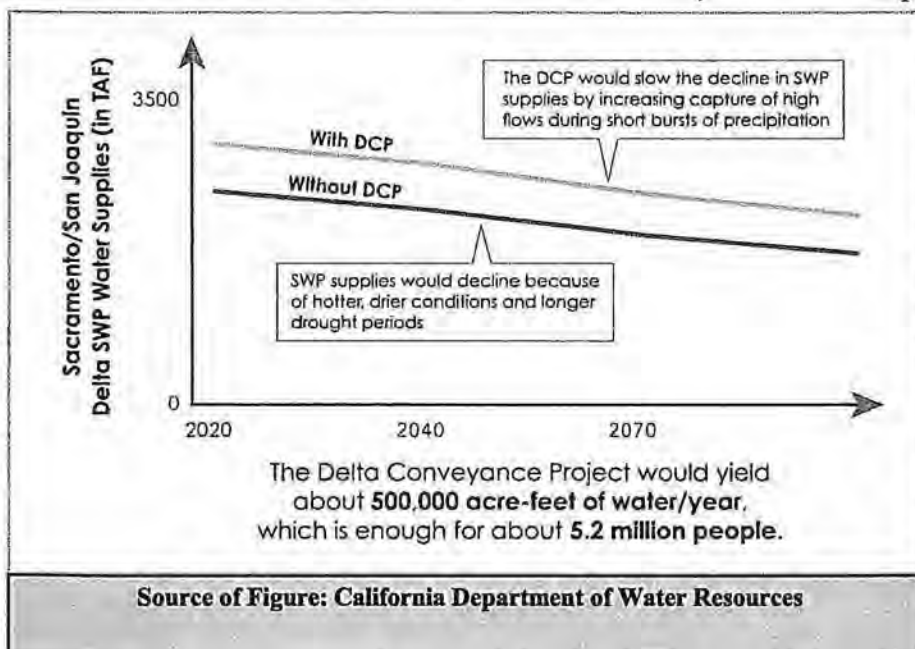
There are 17 public water agencies

from the Bay Area, Central Valley, Central Coast, and Southern California participating in the project. Their customers are among the 27 million people and 750,000 acres of farmland that rely on the SWP to provide an affordable source of high quality, clean and safe water.

The environmental review included a 142-day public comment period in which DWR received more than 700 letters and 7,000 individual comments. Public outreach began in 2020.

“The environmental review process has been thorough and provided us with opportunities to work with the community to minimize potential impacts,” said Carrie Buckman, the project’s Environmental Program Manager.

“We are now poised to take the next steps in engineering, design and permitting, and further developing a comprehensive Community Benefits Program,” she said.



Continued on Page 15

## Sites Reservoir Hit With Lawsuit (Cont'd from Pg 14)

### Sites Reservoir Project Faces Legal Challenge

The Sites Project Authority, as the lead agency under CEQA, last November certified the Final EIR and approved the Sites Reservoir Project. This important milestone is the culmination of years of planning and a collaborative effort to increase the reliability of statewide water supplies for environmental, agricultural, and urban uses. With this certification, the Authority planned to move the project forward through the final planning stages and on to construction.

Later that same month, a lawsuit was filed in Yolo County Superior Court challenging the Authority for violating CEQA in approving the reservoir. Plaintiffs in the suit include several long-time critics of agriculture and dams, including Friends of the River, the Center for Biological Diversity, and the California Sportfishing Protection Alliance.

"The Sites Reservoir project will cause much environmental harm, which falls on the public, and a small amount of good, which primarily benefits the project investors," said Ron Stork, senior policy advocate at Friends of the River. "Among other harms, the reservoir will be a major greenhouse gas emitter."

Located about 80 miles northwest of Sacramento, Sites Reservoir would store water diverted from the Sacramento

River, after all other water rights and regulatory requirements are met. Water would be released to beneficiaries throughout the state primarily during drier periods when it is needed. The proposed project includes an off-stream reservoir located north of the Sacramento-San Joaquin Delta where the majority of California's rainfall occurs.

"Over the last six years, we conducted one of the most comprehensive environmental analyses ever done for a water supply project to design a project that can meet the needs of California's communities, farms, and environment," said Fritz Durst, Chair of the Sites Project Authority Board of Directors. "Sites Reservoir is a new way of managing water designed to provide resiliency and reliability amid our changing climate."

The Family Farm Alliance has been on record for over a decade in support of this project.

"Sites is an innovative and modern approach that goes beyond water supply and flood protection by adding flexibility and generating a much-needed new water source for improved water quality, seasonal fish flows, climate change and drought relief," said Alliance Executive Director Dan Keppen. "The Sites Project would provide an additional tool for water managers to effectively balance competing demands and provide safe and reliable water to support the current and future needs of California's environment and economy."

## Lower Snake River Dams (Cont'd from Page 6)

operations plan in court, the Biden administration is setting a new course, following the science and the lead of the Tribes and States, to begin to replace the services of the Lower Snake River dams so that they can be breached."

Some regional political leaders were not so optimistic.

U. S. Senator Jim Risch (R-IDAHO) doubled down in his opposition to dam breaching and reiterated that it is solely Congress that could remove the federal dams in the Columbia-Snake River System.

"Congress—and Congress alone—can authorize removal of the dams on the lower Snake River," said Senator Risch. "Bureaucrats, activist litigation, nor this administration's radical agenda will determine the fate of any of the Northwest's federal dams. I will continue to fight any breaching efforts, and, at every turn, I will reject the Biden administration's efforts to usurp Congressional authority."

### USDA Attempts to Assuage Concerns of Ag Groups

A coalition of farm groups – including the Washington Association of Wheat Growers, Washington Farm Bureau, Pacific Northwest Waterways Association and the McGregor Co. – prior to the hearing issued a press release expressing concern about the closed-door nature of the settlement negotiations.

"Notably, users of the system, including PNW agriculture interests, have been left out of every meaningful discussion," the groups said in a joint press release. "Instead, the U.S. government has chosen to negotiate a settlement in secret and leave farmers behind."

The Family Farm Alliance last April transmitted a letter to U.S. Secretary of Agriculture Tom Vilsack, requesting Biden Administration Cabinet-level intervention in the mediation talks involving the Lower Snake River dams. The Alliance letter was never responded to, although a USDA spokesperson told the *Capital Press* that the agreement will help provide near-term stability for communities that depend on the Columbia River for agriculture and transportation.

"The alternative was the significant uncertainty brought about by protracted litigation that could've resulted in a ruling very adverse to agriculture and rural communities in the region," the spokesperson said.

A panel discussion on the Lower Snake River dams – featuring water, farming, transportation, and navigation experts from the Pacific Northwest – is on the agenda of the 2024 Family Farm Alliance annual conference, February 22-23, 2024 in Reno, Nevada. Doc Hastings (R-WASHINGTON), former Chairman of the House Natural Resources Committee has confirmed his participation on the panel.

Go to [www.familyfarmalliance.org](http://www.familyfarmalliance.org) for registration and other conference details.

**A Big Thank You to Our New and Supporting Members!**

**YEAR END 2023**

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**Make your tax-deductible gift to the Alliance today! Grassroots membership is vital to our organization. Thank you in advance for your loyal support.**

**If you have questions, please call our fundraising coordinator, Jane Townsend, at (916)206-7186 OR EMAIL [jane@familyfarmalliance.org](mailto:jane@familyfarmalliance.org)**

**OR EMAIL [jane@familyfarmalliance.org](mailto:jane@familyfarmalliance.org)**



*Protecting Water for Western Irrigated Agriculture*

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



**CORRESPONDENCE LIST**

**JANUARY 2024**

1. December 12, 2023 – Letter sent from District to six customers regarding backflow testing requirement
2. December 14, 2023 – Notice and Agenda received from the Los Olivos Community Services District for the December 22, 2023 Grants Subcommittee Meeting
3. December 14, 2023 – Notice and Agenda received from the Los Olivos Community Services District for the December 22, 2023 Project Management Subcommittee Meeting
4. December 14, 2023 – Notice and Agenda received from Cachuma Operation and Maintenance Board for the December 18, 2023 Regular Board Meeting
5. December 15, 2023 – Notice and Agenda received from the Santa Ynez Community Services District for the December 20, 2023 Regular Board Meeting
6. December 18, 2023 – Letter from District to customer regarding payment terms on water service account
7. December 19, 2023 – Letter from District to Bartlett, Pringle & Wolf, LLP regarding management’s representation letter for the June 30, 2023 and 2022 Financial Statements
8. December 21, 2023 – Can and Will Serve letter sent from District for APN 137-020-033
9. December 28, 2023 - Notice and Agenda received from the Los Olivos Community Services District for the January 2, 2024 Grants Subcommittee Meeting
10. December 28, 2023 – Notice and Agenda received from the Los Olivos Community Services District for the January 8, 2024 Project Management Subcommittee Meeting
11. January 2, 2024 – District electronically filed the Quarterly Contribution and Report of Wages Report (October – December 2023) to the Employment Development Department
12. January 2, 2024 – District submitted Employer’s Quarterly Federal Tax Return (October - December 2023) to the Department of Treasury
13. January 2, 2024 – Notice and Agenda received from the Los Olivos Community Services District for the January 5, 2024 Finance Subcommittee Meeting
14. January 2, 2024 – Preliminary Water Availability Letter sent to customer for APN 143-220-029
15. January 2, 2024 – Updated Existing Water Service Letter sent to customer for APN 141-060-017
16. January 3, 2024 – Notice and Agenda received for the Special Meeting of the GSA Committees for the following agencies Central Management, Eastern Management and Western Management Area Groundwater Sustainability Agencies for January 5, 2024
17. January 4, 2024 - Letter sent from District to 26 customers regarding backflow testing requirement
18. January 4, 2024 - Notice and Agenda received from the Los Olivos Community Services District for the January 10, 2024 Regular Board Meeting

19. January 5, 2024 - Transmittal sent to Santa Barbara County Specialty Accounting regarding SYRWCD, ID No.1 Audited Financial Statements for June 30, 2023 and 2022
20. January 8, 2024 - Water Service Requirements Letter sent to customer for APN 139-040-004