

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, September 15, 2020**

VIDEO/TELECONFERENCE MEETING ONLY - NO PHYSICAL MEETING LOCATION

Public Participation:

Video: <https://zoom.us/j/92900399487>

or

Teleconference Phone Number: 1-669-900-9128

Meeting ID: 929 0039 9487#

Video/Teleconference Meeting During Coronavirus (COVID-19) Emergency:

As a result of the COVID-19 emergency and Governor Newsom's Executive Orders to protect public health by issuing shelter-in-home standards, limiting public gatherings, and requiring social distancing, this meeting will occur solely via video/teleconference as authorized by and in furtherance of Executive Order Nos. N-29-20 and N-33-20.

Important Notice Regarding Public Participation in This Meeting: For those who wish to provide public comment on an Agenda Item, or who otherwise are making a presentation to the Board of Trustees, please submit any and all comments and materials to the District via electronic mail at general@syrwd.org. All submittals must be received by the District no later than 5:00 p.m. on Monday, September 14, 2020, and should indicate "**September 15, 2020 Board Meeting**" in the subject line. To the extent practicable, public comments and materials received in advance pursuant to this timeframe will be read into the public record during the meeting. Public comments and materials not read into the record will become part of the post-meeting Board packet materials available to the public and posted on the District's website.

For members of the public who may have a particularized need to speak on an Agenda Item during the meeting, please submit an advance request to the District via electronic mail at general@syrwd.org. All requests must be received by the District no later than 5:00 p.m. on Monday, September 14, 2020, and should indicate "**September 15, 2020 Board Meeting**" in the subject line.

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

- I. CALL TO ORDER AND ROLL CALL**
- II. PLEDGE OF ALLEGIANCE**
- III. REPORT BY THE SECRETARY TO THE BOARD REGARDING COMPLIANCE WITH THE REQUIREMENTS FOR POSTING OF THE AGENDA**
- IV. ADDITIONS OR CORRECTIONS, IF ANY, TO THE AGENDA**
- V. 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.
- VI. CORONAVIRUS (COVID-19) UPDATE**
 - A. General Manager's Report**

VII. CONSIDERATION OF THE MINUTES OF THE REGULAR MEETING OF AUGUST 18, 2020

VIII. CONSENT AGENDA - All items listed on the Consent Agenda are considered to be routine and will be approved or rejected in a single motion without separate discussion. Any item placed on the Consent Agenda can be removed and placed on the Regular Agenda for discussion and possible action upon the request of any Trustee.

- CA-1. Water Supply and Production Report
- CA-2. Central Coast Water Authority Updates

IX. 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
 - c) Water Service Late Penalties

B. 2020 CONFLICT OF INTEREST CODE

- 1. Resolution No. 801 - *A Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 Approving an Update to Its Conflict of Interest Code*

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

A. CACHUMA PROJECT - OPERATIONS AND SUPPLIES

- 1. Cachuma Project Water Service Contract No. I75r-1802R and Status of Amendment to Contract No. I75r-180R between United States Bureau of Reclamation and Santa Barbara County Water Agency
- 2. First Amendment to Cachuma Project Member Unit Contract between Santa Barbara County Water Agency and Santa Ynez River Water Conservation District, Improvement District No.1
- 3. Draft Rescheduling/Carryover Guidelines and Draft Yield Study for the Cachuma Project

B. SUSTAINABLE GROUNDWATER MANAGEMENT ACT

- 1. Eastern Management Area Update

XI. UPDATE FROM ALTERNATIVE POWER/SOLAR AD HOC SUBCOMMITTEE

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

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

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

XV. NEXT MEETING OF THE BOARD OF TRUSTEES: The next Regular Meeting of the Board of Trustees is scheduled for October 20, 2020 at 3:00 p.m.

XVI. CLOSED SESSION:

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

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

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

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

B. CONFERENCE WITH LEGAL COUNSEL – POTENTIAL INITIATION OF LITIGATION

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

Public access to the meeting (Weblink, Dial-In Number, Passcodes above) will be reopened forty-five (45) minutes after the Board of Trustees convenes into closed session.

XVII. RECONVENE INTO OPEN SESSION

[Sections 54957.1 and 54957.7 of the Government Code]

XVIII. ADJOURNMENT

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

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



PRESS RELEASE
August 31, 2020

JOINT INFORMATION CENTER
(805) 696-1188
eocpiostaff@countyofsb.org

**HEALTH OFFICER ORDER UPDATED TO ALIGN WITH NEW CALIFORNIA
PHASED REOPENING FRAMEWORK ALLOWING SOME SECTORS TO REOPEN
INDOORS WITH MODIFICATIONS**

(SANTA BARBARA, Calif.) –Santa Barbara County Health Officer, Dr. Henning Ansorg has issued a Health Officer Order in response to the States new four-tiered color-coded reopening framework. Santa Barbara County is classified as Tier One, “purple” – the highest risk tier. The new framework allows for some previously closed sectors to reopen indoor services with modifications. This Order is effective today at 5 p.m. and continues until 5 p.m. on September 29, 2020, or until it is extended, rescinded, superseded, or amended in writing.

As required by the [Health Officer Order](#) the following sectors may open indoor operations with modifications and adherence to the Health Officer Order and State provided guidance located [here](#).

- Hair salons and barbershops
- Malls. Indoor occupancy is limited to 25% capacity. Common areas and food court dining areas must remain closed. Food court food facilities may remain open for off-site consumption (take-out or delivery).
- Libraries limited to 25% occupancy capacity
- Retail limited to 25% occupancy capacity

Additionally, the following businesses and activities must continue to keep physical locations closed:

- In-person higher education including technical schools, colleges, universities, adult education, and trade schools. Indoor lectures are prohibited. Courses offered in specialized indoor settings (e.g. labs, studios, arts), whose design imposes substantial physical distancing on participants are permitted when following the Stated issued guidance. Distance learning is allowed;
- Parties and Receptions. Outdoor wedding ceremonies (religious or non-religious) are permitted so long as the State guidance for Places of Worship is followed. Indoor ceremonies are not allowed at this time. Receptions for weddings are not allowed.
- Rodeos and public equestrian events.

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- Organized sports and team sports including adult, amateur (non-professional) team sports, and indoor and drills, except professional sports without a live audience. (Intramural & Youth sports training and conditioning are allowed when following State guidelines.)

Gatherings are not allowed whether small or large. Gatherings are defined as an event or convening that brings together people from different households in a single room or space at the same time in any indoor or outdoor space whether public or private. Gathering exemptions include:

- While in a work setting which is allowed while maintaining physical distancing;
- Outdoor recreational activities while maintaining six feet distance from others. Examples include walking, cycling, jogging and hiking;
- Congregate living situations including dormitories and homeless encampments;
- Outdoor worship services, wedding ceremonies, outdoor cultural ceremonies or outdoor protests, when physical distancing of six feet is maintained.

More information can be found on COVID-19 and the response locally at www.publichealthsb.org or call 211 for further assistance.

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Stay Connected:

County Public Health: www.PublicHealthSBC.org, [Twitter](#) and [Facebook](#)

County of Santa Barbara: www.CountyofSB.org, [Twitter](#), [Facebook](#)

Call 211

Community Wellness Team Information and Referral Line: (805) 364-2750

COVID-19

Blueprint for a Safer Economy

Last updated 9/8/20

California has a new blueprint for reducing COVID-19 in the state with revised criteria for loosening and tightening restrictions on activities. Every county in California is assigned to a tier based on its test positivity and adjusted case rate for tier assignment including metrics from the last three weeks. The detailed plan is below.

Additional information about the Blueprint:

- Find the status of activities in your county
- Understand which activities and businesses are open in the four tiers (PDF)
- Explore the complete data by county - California Blueprint Data Chart (Excel)

Plan for Reducing COVID-19 and Adjusting Permitted Sector Activities to Keep Californians Healthy and Safe

Updates as of 9/8/2020:

- Addition of a California Blueprint Data Chart (Excel) displaying: county tier status, date of tier assignment, health equity measure (pending), number of consecutive weeks meeting the next tier's criteria, case rates, adjusted case rate for tier assignment, testing positivity, and test rates. Data displayed is for the weeks ending August 22 and August 29.
- Clarification of the initial adjustment scale to case rate, including the addition of a table with case rate adjustment factors for tier assignment.
- Clarification of how counties will be assigned their status if tiers differ between reporting periods.
- Updated and consistent language throughout the Blueprint to distinguish between case rate and adjusted case rate for tier assignment.
- Addition of an appendix titled: Appendix 1: Calculation of metrics.

This guidance outlines an updated framework for a safe progression of opening more businesses and activities in light of the pandemic. The framework for this guidance is informed by increased knowledge of disease transmission vulnerabilities and risk factors and is driven by the following goals:

- 1) To progress in phases based on risk levels with appropriate time between each phase in each county so impacts of any given change can be fully evaluated.
- 2) To aggressively reduce case transmission to as low a rate as possible across the state so the potential burden of flu and COVID-19 in the late fall and winter does not challenge our healthcare delivery system's ability to surge with space, supplies and staff. Also, with winter weather pushing more activities indoors, low levels of transmission in the community will make large outbreaks in these riskier settings less likely.

3) To simplify the framework and lay out clear disease transmission goals for counties to work towards.

Tier Framework

This framework lays out the measures that each county must meet, based on indicators that capture disease burden, testing, and health equity. A county may be more restrictive than this framework. This framework also notes signals of concern, including impacted healthcare capacity that may lead towards a dimming intervention. This framework replaces the current County Data Monitoring metrics. As the COVID-19 pandemic continues to be an evolving situation and new evidence and understanding emerges, the California Department of Public Health (CDPH), in collaboration with other State officials, will continue to reassess metrics and thresholds.

See chart below for the framework metrics as set according to tiers based on risk of community disease transmission. Calculation of metrics is described in Appendix 1.

	Higher Risk → Lower Risk of Community Disease Transmission***			
	Widespread Tier 1	Substantial Tier 2	Moderate Tier 3	Minimal Tier 4
Measure				
Adjusted Case Rate for Tier Assignment** (Rate per 100,000 population* excluding prison cases^, 7 day average with 7 day lag)	>7	4-7	1-3.9	<1
Testing Positivity^ (Excluding prison cases^, 7 day average with 7 day lag)	>8%	5-8%	2.4-9%	<2%

^Excludes state and federal inmates

*Population denominators from the Department of Finance: State Population Projections - Total Population by County- Table P-1

**Case rate will be determined using cases confirmed by PCR

*** Counties are assigned a tier based on two metrics: test positivity and case rate. The case rate is adjusted based on testing volume per 100,000 population as described below. Due to variability in data, this adjustment does not apply to small counties (defined as those with a population less than ~100,000 residents)

- For counties with testing volume above the state average, the factor is less than 1, decreasing in a linear manner from 1.0 to 0.6 as testing volume increases from the state average to 2x the state average. The factor remains at 0.6 if the testing volume is greater than 2x the state average.
- For counties with testing volume below the state average, the factor is greater than 1, increasing in a linear manner from 1.0 to 1.4 as testing volume decreases from the state average to zero. However, this adjustment for low testing volume will not be applied to counties with a test positivity < 3.5%.

California COVID-19 Case Rate Adjustment Factor

Testing Volume	Case Rate Adjustment Factor*
0	1.4
0.25*Average	1.3
0.50*Average	1.2
0.75*Average	1.1
Average	1
1.25*Average	0.9
1.5*Average	0.8
1.75*Average	0.7
2.0*Average and above	0.6

- Counties with fewer than ~100,000 individuals will be exempted from case rate adjustments, and counties with test positivity <3.5% will be exempted from adjustment for testing rates lower than the state average.

If the two metrics are not the same tier, the county's tier assignment will be determined by the more restrictive of the two. For example, if a county's test positivity corresponds to tier 3 (orange, moderate), but the case rate corresponds to tier 1 (purple, widespread), the county will be assigned as tier 1.

Moving through the Tiers

Rules of the framework:

1. After the initial assignments effective 8/31st, CDPH will assess indicators weekly and the next assignments were released on September 8, 2020.
2. A county must remain in a tier for a minimum of three weeks before being able to advance to a less restrictive tier.
3. A county can only move forward one tier at a time, even if metrics qualify for a more advanced tier.
4. If a county's adjusted case rate for tier assignment and test positivity measure fall into two different tiers, the county will be assigned to the more restrictive tier.
5. City local health jurisdiction (LHJ) data will be included in overall metrics, and city LHJs will be assigned the same tier as the surrounding county
6. An LHJ may continue to implement or maintain more restrictive public health measures if the local health officer determines that health conditions in that jurisdiction warrant such measures.

Initial step applied on August 28, 2020:

1. Each county was assigned to a tier based on an adjusted case rate and test positivity from the weeks of 8/11th and 8/18th. If a county's adjusted case rate and test positivity measures fell into two different tiers, the county was assigned the more restrictive tier. Similarly, if either adjusted case rate or testing positivity tiers differ between the two reporting periods, the county will be assigned the more restrictive tier.
2. This tier status will be effective on Monday, August 31, 2020.
3. If a county is initially assigned to Purple Tier 1 and has met the criteria for a less restrictive tier the prior week, the county only needs to meet the criteria for a less restrictive tier for one more week to move to the Red Tier 2. (For the September 8, 2020 assignment, a county does not need to remain in the Purple Tier 1 for three weeks. For all subsequent assessments, a county must remain in a tier for three weeks and meet the criteria to advance as described below.)

To advance:

1. A county must have been in the current tier for a minimum of three weeks, except as described in the "Initial step applied on August 28, 2020" section above.
2. A county must meet criteria for the next tier for both measures for the prior **two** consecutive weeks in order to progress to the next tier.
3. In addition, the state will establish health equity measures on activities such as data collection, testing access, contact tracing, supportive isolation, and outreach that demonstrate a county's ability to address the most impacted communities within a county. Additional measures addressing health outcomes such as case rates, hospitalizations and deaths, will also be developed and tracked for improvement.

To move back:

1. During the weekly assessment, if a county's adjusted case rate and/or test positivity has been within a more restrictive tier for two consecutive weekly periods, the county must revert to the more restrictive tier.
2. At any time, state and county public health officials may work together to determine targeted interventions or county wide modifications necessary to address impacted hospital capacity and drivers of disease transmission, as needed.
3. Counties will have three days to implement any sector changes or closures unless extreme circumstances merit immediate action.

Risk Criteria

Activities and sectors will begin to open at a specific tier based on risk-based criteria (PDF), as outlined below. Lower risk activities or sectors are permitted sooner and higher risk activities or sectors are not permitted until later phases. Many activities or sectors may increase the level of operations and capacity as a county reduces its level of transmission.

Criteria used to determine low/medium/high risk sectors

- Ability to accommodate face covering wearing at all times (e.g. eating and drinking would require removal of face covering)
- Ability to physically distance between individuals from different households
- Ability to limit the number of people per square foot
- Ability to limit duration of exposure
- Ability to limit amount of mixing of people from differing households and communities
- Ability to limit amount of physical interactions of visitors/patrons
- Ability to optimize ventilation (e.g. indoor vs outdoor, air exchange and filtration)

- Ability to limit activities that are known to cause increased spread (e.g. singing, shouting, heavy breathing; loud environs will cause people to raise voice)

Schools

Schools may reopen—for in-person instruction based on equivalent criteria to the July 17th School Re-opening Framework (PDF) previously announced. That framework remains in effect except that Tier 1 is substituted for the previous County Data Monitoring List (which has equivalent case criteria to Tier 1). Schools in counties within Tier 1 are not permitted to reopen for in-person instruction, with an exception for waivers granted by local health departments for TK-6 grades. Schools that are not authorized to reopen, including TK-6 schools that have not received a waiver, may provide structured, in-person supervision and services to students under the Guidance for Small Cohorts/Groups of Children and Youth.

Schools are eligible for reopening fully for in-person instruction following California School Sector Specific Guidelines once the county is out of Tier 1 (and thus in Tier 2) for at least 14 days, which is similar to being off the County Data Monitoring List for at least 14 days. As noted above, an LHJ may continue to implement or maintain more restrictive public health measures if the local health officer determines that health conditions in that jurisdiction warrant such measures.

As stated in the July 17th School Re-opening Framework (PDF), schools are not required to close if a county moves back to Tier 1, but should consider surveillance testing of staff.

County Data Adjudication Process

If a county finds that there is discrepancy between the county's and state's calculated data for the above defined measures, the county shall notify the CDPH Local Coordinator. The county may request a meeting to discuss with local and state epidemiology leads to compare data. In addition, CDPH will work with California Conference of Local Health Officers and County Health Executives Association of California to develop other methodologies to assess qualitative and contextual information impacting these metrics and the most appropriate interventions.

Once a discrepancy is adjudicated by CDPH, any updated tier status will be determined by CDPH and the tier status will be reflected on the public website within 48 hours, as appropriate.

APPENDIX 1: Calculation of metrics

Metric	Definition
Case Rate (rate per 100,000 excluding prison cases, 7-day average with 7-day lag)	Calculated as the average (mean) daily number of COVID-19+ cases, excluding cases among persons incarcerated at state or federal prisons (identified as cases with an ordering facility name or address associated with prison locations), over 7 days (based on episode date), divided by the number of people living in the county/region/state. This number is then multiplied by 100,000. Due to reporting delays, there is a 7 day lag built into this calculation. For example, for data updated through 8/22/20, the case rate will be dated as 8/15/20 and will include the average case rate from 8/9/20 - 8/15/20.
Adjusted Case Rate for Tier Assignment (rate per 100,000 excluding prison cases, 7-day average with 7-day lag)	Calculated as the Case Rate per 100,000 multiplied by the Case Rate Adjustment Factor that is based on the county's testing rate per 100,000.

Testing Positivity (excluding prison cases, 7-day average with 7-day lag)

Calculated as the total number of positive polymerase chain reaction (PCR) tests for COVID-19 over a 7-day period (based on specimen collected date) divided by the total number of PCR tests conducted (excludes tests for persons out of state or with unknown county of residence), excluding tests for persons incarcerated at state or federal prisons (identified as cases with an ordering facility name or address associated with prison locations). This number is then multiplied by 100 to get a percentage. Due to reporting delay (which may be different between positive and negative tests), there is a 7-day lag. Example: For cumulative lab data received on 8/22/20, reported test positivity is dated as 8/15/20 and is calculated based on tests with specimen collection dates from 8/9/20 - 8/15/20.

Test Rate (tests per 100,000 excluding prison cases, 7-day average with 7-day lag)

Calculated as average (mean) number of polymerase chain reaction (PCR) tests per day over a 7-day period (based on specimen collection date), excluding tests for persons incarcerated at state or federal prisons (identified as cases with an ordering facility name or address associated with prison locations), and divided by the number of people living in the county/region/state. This number is then multiplied by 100,000. Due to reporting delay, there is a 7-day lag included in the calculation. Example: For cumulative lab data received through 8/22/20, the reported 7-day average number of tests will be dated as 8/15/20 and will include PCR tests with specimen collection dates from 8/9/20 - 8/15/20.

Helpful Links

- Find the status of activities in your county
- Understand which activities and businesses are open in the four tiers (PDF)
- Explore the complete data by county (Excel)
- School Re-opening Framework (PDF)
- Guidance for Small Cohorts/Groups of Children and Youth
- www.covid19.ca.gov

Page Last Updated : September 8, 2020

HEALTH OFFICER ORDER NO. 2020-12.7
COUNTY OF SANTA BARBARA

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

Health Officer Order No. 2020-12.7 Supersedes and Replaces Health Officer Order
No. 2020-12.6

Effective Date: August 31, 2020, 5:00 p.m. PDT

Please read this Order carefully. Violation of or failure to comply with this Order may constitute a misdemeanor punishable by fine of up to \$1,000, imprisonment, or both. (Health and Safety Code §§ 101029, 120295 et seq.) Violators are also subject to civil enforcement actions including fines or civil penalties per violation per day, injunctive relief, and attorneys' fees and costs.

This Health Officer Order No. 2020-12.7 supersedes and replaces Health Officer Order No. 2020-12.6 that was effective August 12, 2020. Nothing in this Health Officer Order supersedes State Executive Orders or State Public Health Officer Orders. COVID-19 industry specific guidance provided by the California Department of Public Health is available at: <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/Guidance.aspx#>

Summary: On August 28, 2020, the State Public Health Officer ordered an update to the State COVID-19 reopening framework and implemented a four-tier color-coding system. As of August 31, 2020, the County of Santa Barbara is classified as Tier One, "purple" – the highest risk tier. Under the updated framework, some sectors that were previously ordered closed by the State Public Health Officer may reopen with modifications.

Consistent with the State Public Health Officer Order issued August 28, 2020, this Health Officer Order allows the reopening of some, but not all, Businesses within the County of Santa Barbara. Businesses that may remain open, or open indoor operations with modifications include, but are not limited to, hair salons and barbershops, clothing and shoe stores, florists, grocery stores, home and furnishing stores, jewelry stores, libraries, retailers, shopping malls, sporting goods stores, and toy stores, as listed in Attachment A. All Businesses (as defined) must follow State and local orders.

Consistent with the State Public Health Officer Order issued August 28, 2020, this Health Officer orders the continued closure of indoor operations for some Businesses such as gyms and fitness centers, places of worship, protests, and offices that are non-essential as listed in Attachment B. Businesses that must stay closed and are not allowed to reopen physical locations at this time are listed in the Attachment B.

Consistent with the State Public Health Officer Order issued August 28, 2020, this Order prohibits "gatherings" large and small, unless an exemption applies.

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

WHEREAS, in the County of Santa Barbara as well as throughout California and the nation, there are insufficient quantities of critical healthcare infrastructure, including hospital beds, ventilators and workers, capable of adequately treating mass numbers of patients at a single time – should the virus spread unchecked; and

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

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

WHEREAS, also on March 19, 2020, the State Public Health Officer ordered all individuals living in the State of California to stay home or at their place of residence, except as needed to maintain continuity of operations for the federal critical infrastructure sectors, which was updated on March 28, 2020; and

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

WHEREAS, on May 4, 2020, Governor Newsom issued Executive Order N-60-20 to allow reopening of lower-risk businesses and spaces (“Stage Two”), and then to allow reopening of higher-risk businesses and spaces (“Stage Three”) and to allow a County to pursue a variance to move further into the stages upon notification and certification of a written attestation to the California Department of Public Health (CDPH); and

WHEREAS on May 7, 2020, the State Public Health Officer ordered that upon certification a County may move through the stages of reopening at their own pace as long as the sectors are given guidance from the State about reopening requirements. On May 20, 2020, the CDPH approved and posted to the State’s website the County of Santa Barbara’s Variance Attestation allowing the County to move through the stages; and

WHEREAS, on July 1, 2020, CDPH instructed counties which had been on State’s County Monitoring list for more than three consecutive days to immediately close all bars, breweries, pubs and brewpubs, as well as indoor operations of Businesses for specified industries and sectors. On July 13, 2020, the State Public Health Officer ordered counties

which had been on the State's County Monitoring list for more than three consecutive days to close indoor operations of: gyms and fitness centers; places of worship; protests; offices for non-essential critical infrastructure sectors defined at [covid19.ca.gov](https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/essential-businesses.aspx); personal care services (including nail salons, massage parlors, and tattoo parlors); hair salons and barbershops; and malls; and

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

WHEREAS, on August 28, 2020, the State Public Health Officer ordered an update to the framework for reopening, which is known as California's Plan for Reducing COVID-19 and Adjusting Permitted Sector Activities to Keep Californians Healthy and Safe. Governor Newsom introduced this framework as the Blueprint for a Safer Economy, with a four-tiered color-coded county classification system: (1) purple represents the highest widespread risk level; (2) red represents substantial risk; (3) orange represents moderate risk; and, (4) yellow the lowest level, represents minimal risk. Counties are prohibited from moving through the tiers more than one tier at a time and must stay at the same tier for at least three weeks; and

WHEREAS, as of August 31, 2020, the County of is classified as a Tier One county, in the "purple", highest risk tier. Under the updated framework, some sectors that were ordered closed by the July 13, 2020 State Public Health Officer Order may reopen with modifications depending on their county's tier classification while others must remain closed; and

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

WHEREAS, the intent of this Order is to order businesses in the County of Santa Barbara regarding operations under the State Stay-at-Home Order and County of Santa Barbara's Tier One, "purple", highest risk classification under California's Plan for Reducing COVID-19 and Adjusting Permitted Sector Activities to Keep Californians Healthy and Safe, and to slow the spread of COVID-19 to the maximum extent possible. All provisions of this Order should be interpreted to effectuate this intent.

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

1. This Order 2020-12.7 is effective 5:00 p.m. (PDT) August 31, 2020 and continuing until 5:00 p.m. (PDT), on September 29, 2020 or until it is extended, rescinded, superseded, or amended in writing by the County of Santa Barbara Health Officer ("Health Officer"). This Order applies in the incorporated and unincorporated areas of Santa Barbara County ("County").
2. **Gatherings are not allowed.** As required by the State Public Health Officer Order of May 7, 2020, and March 19, 2020, all gatherings, whether large or small, are prohibited unless exempt.
 - a. A "gathering" is any event or convening that brings together people from different households in a single room or single space at the same time, such as an auditorium, stadium, arena, large conference room, meeting hall, cafeteria, or any other indoor or outdoor space, whether public or private.
 - b. **Gathering exemptions.** All gatherings that are exempt must comply with State Executive Orders, State Public Health Orders, and State guidance available at covid19.ca.gov, and Santa Barbara County Health Officer Orders.
 - i. To the extent that Businesses are open, and activities allowed, individuals may leave their homes to work at, patronize, or otherwise engage with those Businesses, or activities, and must, when they do so, continue at all times to practice physical distancing, and follow State and Local Orders;
 - ii. The prohibition on gatherings does not apply to outdoor recreational activities when physical distancing of six feet can be maintained. Examples of recreational activities include, but are not limited to, walking, cycling, jogging, and hiking;
 - iii. The prohibition on gatherings does not apply to congregate living situations, including dormitories, and homeless encampments; and
 - iv. The prohibition on gatherings does not apply to outdoor worship services, outdoor wedding ceremonies, outdoor cultural ceremonies (religious and non-religious), or outdoor protests, when physical distancing of six feet can be maintained.
3. "Business" or "Businesses" for the purpose of this Health Officer Order is defined to mean any institution, establishment, public or private agency, for-profit, non-profit, or educational entity, whether an organization, corporate entity, partnership, or sole proprietorship.
4. All Businesses except those listed in Attachment B, as attached hereto and incorporated by this reference, may remain open or open, upon completion of, and in accordance with all of the following:
 - a. Perform a detailed risk assessment including reviewing State and local guidance relevant to the Business and create a site-specific protection plan;
 - b. Train employees about how to limit the spread of COVID-19 including how to screen themselves for COVID-19 symptoms and when to stay home. COVID-19 symptoms are described in Attachment C;

- c. Set up individual control measures and screenings;
 - d. Put disinfection protocols in place;
 - e. Observe “Face Covering” orders in effect from the local health officer and/or the California Department of Public Health;
 - f. If operating outdoors, a tent, canopy, or other sun shelter may be used as long as no more than one side is closed;
 - g. Complete the RISE attestation, including its social distancing protocol, and self-certification process at: <https://recovery.sbc.org/reopen-your-business/>. (if a Business does not have access to the internet it can call 833-688-5551); and
 - h. Post the self-certification at the Business location.
5. Businesses listed in Attachment A, as attached hereto and incorporated by this reference, are subject to the additional modifications described in Attachment A such as outdoor only operations or indoor occupancy limits.
6. Businesses listed in Attachment B, as attached hereto and incorporated by this reference, must keep physical locations closed. Businesses listed in Attachment B may continue to provide services so long as those services can be provided remotely and without individuals physical present at the Business location, unless an exception applies. Maintenance to prevent property damage of the Businesses listed in Attachment B is allowed. This list may be amended from time to time, as required for our region’s response to COVID-19
7. **Emergency Food Permit.** Breweries, bars, brewpubs, pubs, wineries, and tasting rooms that serve alcoholic beverages but that do not have an on-site permitted food facility and would like to serve food:
- a. Must obtain an Emergency Food Permit issued by the Santa Barbara County Health Department to temporarily serve food.
 - b. A brewery, bar, brewpub, pub, winery, or tasting room in possession of an Emergency Food Permit issued by the Santa Barbara County Health Department may continue to temporarily serve food at their discretion, unless otherwise suspended, revoked, or terminated.
 - c. A brewery, bar, brewpub, pub, winery, or tasting room in possession of an Emergency Food Permit issued by the Santa Barbara County Health Department may cease operations of food service at their discretion, but in doing so may be subject to closure of the physical location.

IN ADDITION TO THE ABOVE ORDER THE HEALTH OFFICER STRONGLY RECOMMENDS that retailers designate specific hours of operation for their stores to accommodate populations at high risk of developing severe COVID-19 disease, such as persons over the age of 65 years.

This Order is issued as a result of the worldwide pandemic of COVID-19 which has infected at least 25,514,366 individuals worldwide, in 213 countries and territories,

including 8,014 cases, and 92 deaths in the County, and is implicated in over 852,577 worldwide deaths.

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

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

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

This Order is issued in accordance with, and incorporates by reference: the March 4, 2020 Proclamation of a State Emergency issued by Governor Gavin Newsom; the March 12, 2020 Declaration of Local Health Emergency and Proclamation of Emergency based on an imminent and proximate threat to public health from the introduction of novel COVID-19 in the County; the March 17, 2020 Resolution of the Board of Supervisors ratifying the County Declaration of Local Health Emergency and Proclamation of Emergency regarding COVID-19; the guidance issued on March 11, 2020 by the California Department of Public Health regarding large gatherings of 250 people or more; Governor Gavin Newsom's Executive Order N-25-20 of March 12, 2020 preparing the State to commandeer hotels and other places of temporary residence, medical facilities, and other facilities that are suitable as places of temporary residence or medical facilities as necessary for quarantining, isolating or treating individuals who test positive for COVID-19 or who have had a high-risk exposure and are thought to be in the incubation period; the March 13, 2020 Presidential Declaration of a National Emergency due to the national impacts of COVID-19; the guidance issued on March 15, 2020 by the Centers for Disease Control and Prevention, the California Department of Public Health, and other public health officials through the United States and around the world recommending the cancellation of gatherings involving more than fifty (50) or more persons in a single space at the same time; the March 16, 2020 order of the State Public Health Officer prohibiting all gatherings with expected presence above ten (10) individuals; Governor Newsom's Executive Order N-33-20 of March 19, 2020 ordering all persons to stay at home to protect the health and well-being of all Californians and to establish consistency across the state in order to slow the spread of COVID-19; the March 22, 2020, Presidential Declaration of a Major Disaster in California beginning on January 20, 2020 under Federal Emergency Management Agency (FEMA) Incident DR-4482-CA; Governor Newsom's Executive Order N-60-20 of May 4, 2020 to allow reopening of lower-risk businesses and spaces ("Stage Two"), and then to allow reopening of higher-risk businesses and spaces ("Stage Three"), and directing the Public Health Officer to establish criteria and procedures to determine whether and how particular local jurisdictions may implement public health measures that depart from the statewide directives of the State Public Health Officer; the

May 7, 2020, State Public Health Officer Order; the July 13, 2020 State Public Health Officer Order; and the August 28, 2020 State Public Health Officer Order called California's Plan for Reducing COVID-19 and Adjusting Permitted Sector Activities to Keep Californians Healthy and Safe.

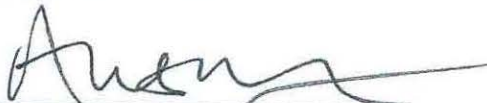
This Order is made in accordance with all applicable State and Federal laws, including but not limited to: Health and Safety Code sections 101040 and 120175; Health and Safety Code sections 101030 et seq., 120100 et seq.; and Title 17 of the California Code of Regulations section 2501.

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

The violation of any provision of this Order constitutes a threat to public health. Pursuant to Government Code sections 26602 and 41601 and Health and Safety Code sections 101029 and 120295, the Health Officer requests that the Sheriff and all chiefs of police in the County ensure compliance with and enforce this Order. Per Health and Safety Code section 101029, "the sheriff of each county, or city and county, may enforce within the county, or the city and county, all orders of the local health officer issued for the purpose of preventing the spread of any contagious, infectious, or communicable disease. Every peace officer of every political subdivision of the county, or city and county, may enforce within the area subject to his or her jurisdiction all orders of the local health officer issued for the purpose of preventing the spread of any contagious, infectious, or communicable disease. This section is not a limitation on the authority of peace officers or public officers to enforce orders of the local health officer. When deciding whether to request this assistance in enforcement of its orders, the local health officer may consider whether it would be necessary to advise the enforcement agency of any measures that should be taken to prevent infection of the enforcement officers."

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

IT IS SO ORDERED:



Henning Ansorg, M.D.
Health Officer
Santa Barbara County Public Health Department

ATTACHMENT A
HEALTH OFFICER ORDER NO. 2020-12.7
COUNTY OF SANTA BARBARA

**Businesses that are subject to additional modifications such as
outdoor operations or indoor occupancy limits**

Businesses listed in this Attachment A must comply with the requirements in Section 4 of this Health Officer Order and the additional modifications described below.

1. Aquariums outdoors only
2. Brewpubs, breweries, bars, and pubs must close until those establishments are allowed to resume operation per state guidance and local permission, unless they are providing sit-down, dine-in meals. Alcohol may only be sold in the same transaction as a meal.
 - a. Brewpubs, breweries, bars, and pubs that provide sit-down meals must follow the CDPH dine-in restaurant guidance, shall offer only outdoor dining, and should continue to encourage takeout and delivery service whenever possible.
 - b. Brewpubs, breweries, bars, and pubs that do not provide sit-down meals, but wish to operate under this Order must obtain an Emergency Food Permit as described above.
 - c. Venues that are currently authorized to provide off sale beer, wine, and spirits to be consumed off premises and do not offer sit-down, dine-in meals shall follow CDPH guidance for retail operations.
 - d. Producers of beer, wine, and spirits must follow CDPH guidance for manufacturing operations.
 - e. Brewpub, breweries, bars and pubs must offer foodservice during all hours of operation.
 - f. This section also applies to bars located at permitted food facilities.
3. Body waxing studios outdoors only if allowed by the licensing or permitting authority
4. Bookstores with indoor occupancy limited to 25% capacity
5. Cardrooms outdoors only
6. Clothing and shoe stores with indoor occupancy limited to 25% capacity
7. Cultural ceremonies outdoors only
8. Dance studios outdoors only
9. Drive-in theaters outdoors only
10. Education. In-person higher education including technical schools, colleges, universities, adult education, and trade schools. Indoor lectures are prohibited. Courses offered in specialized indoor settings (e.g. labs, studio arts), whose design imposes substantial physical distancing on participants are permitted so long as the CDPH guidance for Institutions of Higher Education available at <https://files.covid19.ca.gov/pdf/guidance-higher->

- education--en.pdf is followed. (Distance learning is allowed.)
11. Estheticians outdoors only if allowed by the licensing or permitting authority
 12. Family Entertainment Centers (ball pits, bounce centers, bowling alleys, kart racing, miniature golf, batting cages, paintball, air soft facilities, laser tag) outdoors only
 13. Fitness centers, gyms, and studios including but not limited to those for dance, yoga, pilates, crossfit, cycling, boxing, and martial arts outdoors only
 14. Florists with indoor occupancy limited to 25% capacity
 15. Grocery Stores with indoor occupancy limited to 50% capacity
 16. Home and furnishing stores with indoor occupancy limited to 25% capacity
 17. Jewelry stores with indoor occupancy limited to 25% capacity
 18. Libraries with indoor occupancy limited to 25% capacity
 19. Massage therapy studios outdoors only if allowed by the licensing or permitting authority
 20. Movie theatres outdoors only
 21. Museums outdoors only
 22. Nail salons outdoors only if allowed by the licensing or permitting authority
 23. Offices for non-essential critical infrastructure sectors, defined at [covid19.ca.gov](https://www.covid19.ca.gov), via remote operations only
 24. Places of Worship outdoors only
 25. Protests outdoors only
 26. Professional sports without live audiences
 27. Raceways or racetracks without spectators outdoors only
 28. Restaurants (dine-in) outdoors only, take-out and delivery allowed
 29. Retailers with indoor occupancy limited to 25% capacity
 30. Satellite wagering sites outdoors only
 31. Schools closed for in-person instruction, except TK-6 instruction with an approved waiver.
 32. Shopping malls with indoor occupancy limited to 25% capacity. Common areas and food court dining areas must remain closed. Food court food facilities may remain open for off-site consumption (take-out or delivery).
 33. Skating rinks, such as ice and roller, outdoors only. (These facilities may operate on a reservation or appointment-only basis for individual physical fitness activities or skills training following the guidance provided for gyms and fitness centers. No open (public) skating, group practices or team / club events are allowed.)
 34. Skin care and cosmetology services outdoors only if allowed by the licensing or permitting authority
 35. Organized sports and team sports including adult, amateur (non-professional) team sports, and indoor conditioning and drills are not allowed, except:
 - a. Professional sports without a live audience; and

- b. Youth sports and physical education when all of the following are maintained: (i) outdoors, (ii) physical distancing of at least six feet between participants can be maintained, and (iii) it is a stable cohort, such as a class, that limits the risks of transmission in accordance with CDPH guidance for Youth Sports available at <https://files.covid19.ca.gov/pdf/guidance-youth-sports--en.pdf>; and
 - c. Intercollegiate athletics in compliance with the CDPH Industry Sector Guidance for Institutions of Higher Education – Specific Interim Guidance for Collegiate Athletics available at <https://files.covid19.ca.gov/pdf/guidance-higher-education--en.pdf>.
- 36. Sporting goods stores with indoor occupancy limited to 25% capacity
 - 37. Toy stores with indoor occupancy limited to 25% capacity
 - 38. Wedding ceremonies (religious or non-religious) outdoors only are permitted so long as the CDPH guidance for Places of Worship and Providers of Religious Services available at <https://files.covid19.ca.gov/pdf/guidance-places-of-worship.pdf> is followed. Indoor ceremonies are not allowed at this time. Occupancy at outdoor venues is limited by the natural limits of the venue that permit social distancing of six feet between people from different households. Receptions for weddings are not allowed.
 - 39. Wineries and tasting rooms outdoors only.
 - 40. Zoos outdoors only

ATTACHMENT B
HEALTH OFFICER ORDER NO. 2020-12.7
COUNTY OF SANTA BARBARA

Businesses that Must Keep Physical Locations Closed

1. Amphitheaters, concert halls and venues, performing arts centers
2. Amusement and theme parks
3. Arenas
4. Banquet halls
5. Climbing gyms
6. Community centers
7. Conference and convention centers
8. Dance halls, dances
9. Electrologists
10. Fairs, festivals, public exhibitions
11. Live performance venues, live theatre, and live performances
12. Lounges
13. Music events, concerts
14. Nightclubs including private social clubs
15. Parties and Receptions.
16. Piercing shops
17. Playgrounds
18. Rodeos and public equestrian events
19. Roller derby
20. Saunas and steam rooms
21. Sports stadiums and facilities (except as necessary for professional and intercollegiate sporting events without live audiences)
22. Swimming Pools Indoors
23. Tattoo Parlors

ATTACHMENT C

HEALTH OFFICER ORDER NO. 2020-12.7
COUNTY OF SANTA BARBARA

COVID-19 SELF-EVALUATION

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

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

Sore Throat

Runny Nose

Fever

Chills

Not Feeling Well

Sneezing

Coughing

Gastro-Intestinal symptoms such as:

Soft Stool

Stomach Cramps

New loss of smell and/or taste

HEALTH OFFICER ORDER NO. 2020-6.5
COUNTY OF SANTA BARBARA

FOR THE CONTROL OF COVID-19
REQUIREMENTS FOR ALL INDIVIDUALS ENTERING
CERTAIN LICENSED FACILITIES AND OTHER AGENCIES
THAT ARE NOT A PATIENT, EXISTING RESIDENT OR NEW RESIDENT

TEMPERATURE SCREENING AND SELF-EVALUATION FOR COVID-19 SYMPTOMS

Health Officer Order No. 2020-6.5 amends Health Officer Order No. 2020-6.4
to extend the effective date through September 29, 2020

Effective Date: August 31, 2020, 5:00 p.m. PDT

(The underlined language indicates a change.)

Please read this Order carefully. Violation of or failure to comply with this Order may constitute a misdemeanor punishable by fine of up to \$1,000, imprisonment, or both. (Health and Safety Code §§ 101029, 120295 et seq.) Violators are also subject to civil enforcement actions including fines or civil penalties per violation per day, injunctive relief, and attorneys' fees and costs.

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

WHEREAS, in the County of Santa Barbara as well as throughout California and the nation, there are insufficient quantities of critical healthcare infrastructure, including hospital beds, ventilators and workers, capable of adequately treating mass numbers of patients at a single time – should the virus spread unchecked; and

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

WHEREAS, social distancing alone in certain Licensed Facilities and Other Agencies, defined as those listed in Attachment A, attached hereto and incorporated by reference, may not be effective due to the concentration of individuals and the nature of the services provided; and

WHEREAS, this Order comes after the release of substantial guidance from the Centers for

Disease Control and Prevention (CDC), the California Department of Public Health, and other public health officials throughout the United States and around the world, about the Symptoms that may be related to COVID-19, defined as those listed in Attachment B, attached hereto and incorporated by reference; and

WHEREAS, the County of Santa Barbara Health Officer finds: (1) there is an increased risk of COVID-19 among those working in or living in certain Licensed Facilities and Other Agencies, and among those providing services in the community; (2) that prior to providing services in the community, or prior to entering certain Licensed Facilities or Other Agencies all individuals that are not a patient, existing resident, or new resident should conduct a self-evaluation and temperature screening for Symptoms; and, (3) accordingly, individuals with Symptoms such as respiratory illness or a fever (100.0° F or 37.8° C or greater, or subjective fever) should not enter the Licensed Facility or Other Agency because doing so is likely to impair efforts at mitigating the spread of COVID-19 both within the County and statewide; and

WHEREAS, this Order is intended to reduce the risk of COVID-19 exposure in certain Licensed Facilities and Other Agencies, and if applicable to the residents living in such Licensed Facilities or Other Agencies by prohibiting the entrance of individuals with Symptoms. All provisions of this Order should be interpreted to effectuate this intent.

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

1. This Order 2020-6.5 is effective 5:00 p.m. (PDT) August 31, 2020 and continuing until 5:00 p.m. (PDT), on September 29, 2020 or until it is extended, rescinded, superseded, or amended in writing by the County of Santa Barbara Health Officer ("Health Officer"). This Order applies in the incorporated and unincorporated areas of Santa Barbara County ("County").
2. **Temperature screening.** All individuals entering the Licensed Facilities or Other Agencies, listed in Attachment A, such as hospitals, skilled nursing facilities, long term care facilities, hospice facilities, home health agencies, EMS providers, home care organizations, and dialysis providers submit to a temperature screening, by the least intrusive means as possible, prior to entering these locations or commencing services in the community.
3. **Self-Evaluation.** All individuals prior to entering, or provide services in the community, for the Licensed Facilities or Other Agencies, listed in Attachment A, are to self-evaluate for mild to moderate Symptoms related to COVID-19 or other respiratory illness, including sore throat, runny nose, fever, chills, not feeling well, sneezing and coughing, gastro-intestinal symptoms such as soft stool or stomach cramps, listed in Attachment B.

4. **Prohibition of Entry.** No individual shall enter, or provide services in the community, for a Licensed Facility or Other Agency, listed in Attachment A, if a temperature screening of the individual is 100.0° F or 37.8° C or greater, or subjective fever; or if through the self-evaluation described in Attachment B the individual identifies he or she has Symptoms.

This Order is issued as a result of the worldwide pandemic of COVID-19 which has infected at least 25,517,366 individuals worldwide, in 213 countries and territories, including 8,014 cases and 92 deaths in the County, and is implicated in over 852,577 worldwide deaths.

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

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

This Order is issued in accordance with, and incorporates by reference: the March 4, 2020 Proclamation of a State Emergency issued by Governor Gavin Newsom; the March 12, 2020 Declaration of Local Health Emergency and Proclamation of Emergency based on an imminent and proximate threat to public health from the introduction of novel COVID-19 in the County; the March 17, 2020 Resolution of the Board of Supervisors ratifying the County Declaration of Local Health Emergency and Proclamation of Emergency regarding COVID-19; the guidance issued on March 11, 2020 by the California Department of Public Health regarding large gatherings of 250 people or more; Governor Gavin Newsom's Executive Order N-25-20 of March 12, 2020 preparing the State to commandeer hotels and other places of temporary residence, medical facilities, and other facilities that are suitable as places of temporary residence or medical facilities as necessary for quarantining, isolating or treating individuals who test positive for COVID-19 or who have had a high-risk exposure and are thought to be in the incubation period; the March 13, 2020 Presidential Declaration of a National Emergency due to the national impacts of COVID-19; the guidance issued on March 15, 2020 by the Centers for Disease Control and Prevention, the California Department of Public Health, and other public health officials through the United States and around the world recommending the cancellation of gatherings involving more than fifty (50) or more persons in a single space at the same time; the March 16, 2020 order of the State Public Health Officer prohibiting all gatherings with expected presence above ten (10) individuals; and Governor Newsom's Executive Order N-33-20 of March 19, 2020 ordering all persons to stay at home to protect the health and well-being of all Californians and to establish consistency across the state in order to slow the spread of COVID-19; the March 22, 2020, Presidential Declaration of a Major Disaster in California beginning on January 20, 2020 under Federal Emergency Management Agency (FEMA) Incident DR-4482; Governor Newsom's Executive Order N-60-20 of May 4, 2020 to allow reopening of lower-risk businesses and spaces ("Stage Two"), and thereafter to allow reopening of higher-risk businesses and spaces ("Stage Three"), and directing

the State Public Health Officer to establish criteria and procedures to determine whether and how particular local jurisdictions may implement public health measures that depart from the statewide directives; and, the July 13, 2020 State Public Health Officer Order.

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

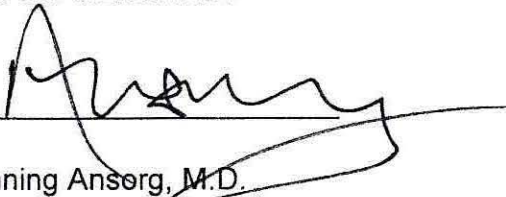
If any provision of this Order or the application thereof to any person or circumstance is held to be invalid by a court of competent jurisdiction, the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue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

The violation of any provision of this Order constitutes a threat to public health. Pursuant to Government Code sections 26602 and 41601 and Health and Safety Code sections 101029 and 120295, the Health Officer requests that the Sheriff and all chiefs of police in the County ensure compliance with and enforce this Order. Per Health and Safety Code section 101029, "the sheriff of each county, or city and county, may enforce within the county, or the city and county, all orders of the local health officer issued for the purpose of preventing the spread of any contagious, infectious, or communicable disease. Every peace officer of every political subdivision of the county, or city and county, may enforce within the area subject to his or her jurisdiction all orders of the local health officer issued for the purpose of preventing the spread of any contagious, infectious, or communicable disease. This section is not a limitation on the authority of peace officers or public officers to enforce orders of the local health officer. When deciding whether to request this assistance in enforcement of its orders, the local health officer may consider whether it would be necessary to advise the enforcement agency of any measures that should be taken to prevent infection of the enforcement officers."

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

This Order 2020-6.5 amends Order 2020-6.4 previously issued by the County of Santa Barbara Health Officer which was effective July 31, 2020.

IT IS SO ORDERED:



Henning Ansorg, M.D.
Health Officer
Santa Barbara County Public Health Department

Attachment A

The Health Officer orders that all individuals entering the Licensed Entities or Other Agencies listed below submit to a temperature screening, by the least intrusive means as possible, and conduct a self-evaluation for COVID-19 symptoms, prior to entering these locations:

- Hospitals including General Acute Care
- Psychiatric Health Facilities
- Skilled Nursing Facilities
- Intermediate Care Facilities of all license types
- Hospice Facilities
- Home Health and Hospice Agencies
- Home Care Organizations
- Chronic Dialysis Clinic
- Federally Qualified Health Care Centers
- Community Clinics
- Ambulatory Surgical Centers
- Residential Care Facilities for the Elderly
- Residential Facility Chronically III
- Social Rehabilitation Facility
- Continuing Care Retirement Communities
- Urgent Care Centers
- EMS Providers
- Adult Residential Care Facilities (ARF) all license types

Attachment B

COVID-19 SELF-EVALUATION

Health Officer Order requires individuals to conduct a self-evaluation prior to entering certain Licensed Residential Facilities or Other Agencies and prohibits you from entering if you have these symptoms:

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

Sore Throat

Runny Nose

Fever

Chills

Not Feeling Well

Sneezing

Coughing

Gastro-Intestinal symptoms such as:

Soft Stool

Stomach Cramps

New loss of smell and/or taste

DO NOT ENTER THESE FACILITIES

IF YOU HAVE THESE SYMPTOMS

HEALTH OFFICER ORDER NO. 2020-4.6
COUNTY OF SANTA BARBARA

FOR THE CONTROL OF COVID-19
REQUIREMENTS FOR ALL INDIVIDUALS ENTERING CRITICAL INFRASTRUCTURE
FACILITIES SUCH AS THE COUNTY JAIL AND YOUTH CUSTODIAL FACILITIES, THE
COUNTY EMERGENCY OPERATIONS CENTER, AND THE PUBLIC HEALTH
DEPARTMENT OPERATIONS CENTER;

TEMPERATURE SCREEING AND SELF-EVALUATION FOR COVID-19 SYMPTOMS

Health Officer Order No. 2020-4.6 amends Health Officer Order No. 2020-
4.5 to extend the effective date through September 27, 2020

Effective Date: August 29, 2020, 5:00 p.m. PDT

(The underlined language indicates a change.)

Please read this Order carefully. Violation of or failure to comply with this Order may constitute a misdemeanor punishable by fine of up to \$1,000, imprisonment, or both. (Health and Safety Code §§ 101029, 120295 et seq.) Violators are also subject to civil enforcement actions including fines or civil penalties per violation per day, injunctive relief, and attorneys' fees and costs.

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

WHEREAS, in the County of Santa Barbara as well as throughout California and the nation, there are insufficient quantities of critical healthcare infrastructure, including hospital beds, ventilators and workers, capable of adequately treating mass numbers of patients at a single time – should the virus spread unchecked; and

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

WHEREAS, the County Health Officer finds: (1) those with potential exposures to COVID-19 in community settings should have their exposure risk assessed according to the Centers for Disease Control and Prevention (CDC) guidance and should accordingly not come to work if they have symptoms of acute respiratory illness (uncontrolled or frequent coughing or signs of a fever 100.0° F or 37.8° C or greater, or subjective fever, and (2) social distancing alone in these critical infrastructure facilities may not be effective due to the concentration of individuals and disaster managers; and

WHEREAS, the intent of this Order is to strengthen the steps the County of Santa Barbara ("County") has already taken to protect all individuals and to ensure continuity of operations for those entering critical infrastructure facilities such as the County's jail and youth custodial facilities, and the County's emergency operations centers from COVID-19. All provisions of this Order should be interpreted to effectuate this intent.

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

1. This Order 2020-4.6 is effective 5:00 p.m. (PDT) August 29, 2020 and continuing until 5:00 p.m. (PDT), on September 27, 2020 or until it is extended, rescinded, superseded, or amended in writing by the County of Santa Barbara Health Officer ("Health Officer"). This Order applies in the incorporated and unincorporated areas of Santa Barbara County.
2. **Temperature screening.** The Health Officer orders that all individuals entering critical infrastructure facilities, listed in Attachment A, such as the County jail, juvenile detention halls and camps, and the County's emergency operations centers submit to a temperature screening, by the least intrusive means as possible, prior to entering these locations.
3. **Self-Evaluation.** The Health Officer orders that all individuals, prior to entering critical infrastructure facilities listed in Attachment A, are to self-evaluate for mild to moderate symptoms related to COVID-19 or other respiratory illness, including sore throat, runny nose, fever, chills, not feeling well, sneezing and coughing, gastro-intestinal symptoms such as soft stool or stomach cramps ("symptoms").
4. **Prohibition of Entry.** No individual shall enter a critical infrastructure facility listed in Attachment A, if a temperature screening of the individual is 100.0° F, or 37.8° C or greater, or subjective fever; or if through the self-evaluation described above the individual identifies he or she has symptoms.

IN ADDITION TO THE ABOVE ORDER, THE HEALTH OFFICER STRONGLY RECOMMENDS:

1. Persons exhibiting mild to moderate symptoms listed above should self-isolate from others, unless seeking medical care.
2. Signage with the above listed symptoms, similar to that in Attachment B, should be posted near entry ways to remind all individuals to self-evaluate prior to entering within the listed facilities.
3. All individuals are to heed any orders and guidance of federal, state, and local health officials related to COVID-19.

This Order is issued as a result of the worldwide pandemic of COVID-19 which has infected at least 24,311,624 individuals worldwide, in 213 countries and territories, including 7,869 cases and 89 deaths in the County, and is implicated in over 828,628 worldwide deaths.

This Order is intended to reduce the risk of COVID-19 exposure in the County jail and youth custodial facilities, in the County emergency operations center, and in the Public Health Department operations center, by prohibiting the entrance of individuals with Symptoms. All provisions of this Order should be interpreted to effectuate this intent.

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

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

This Order is issued in accordance with, and incorporates by reference: the March 4, 2020 Proclamation of a State Emergency issued by Governor Gavin Newsom; the March 12, 2020 Declaration of Local Health Emergency and Proclamation of Emergency based on an imminent and proximate threat to public health from the introduction of novel COVID-19 in the County; the March 17, 2020 Resolution of the Board of Supervisors ratifying the County Declaration of Local Health Emergency and Proclamation of Emergency regarding COVID-19; the guidance issued on March 11, 2020 by the California Department of Public Health regarding large gatherings of 250 people or more; Governor Gavin Newsom's Executive Order N-25-20 of March 12, 2020 preparing the State to commandeer hotels and other places of temporary residence, medical facilities, and other facilities that are suitable as places of temporary residence or medical facilities as necessary for quarantining, isolating or treating individuals who test positive for COVID-19 or who have had a high-risk exposure and are thought to be in the incubation period; the March 13, 2020 Presidential Declaration of a National Emergency due to the national impacts of COVID-19; the guidance issued on March 15, 2020 by the Centers for Disease Control and Prevention, the California Department of Public Health, and other public health officials through the United States and around the world recommending the cancellation of gatherings involving more than fifty (50) or more persons in a single space at the same time; the March 16, 2020 order of the State Public Health Officer prohibiting all gatherings with expected presence above ten (10) individuals; and Governor Newsom's Executive Order N-33-20 of March 19, 2020 ordering all persons to stay at home to protect the health and well-being of all Californians and to establish consistency across the state in order to slow the spread of COVID-19; the March 22, 2020, Presidential Declaration of a Major Disaster in California beginning on January 20, 2020 under Federal Emergency Management Agency (FEMA) Incident DR-4482; Governor Newsom's Executive Order N-60-20 of May 4, 2020 to allow reopening of lower-risk businesses and spaces ("Stage Two"), and thereafter to allow reopening of higher-risk businesses and spaces ("Stage Three"), and directing the State

Public Health Officer to establish criteria and procedures to determine whether and how particular local jurisdictions may implement public health measures that depart from the statewide directives; and, the July 13, 2020 State Public Health Officer Order.

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

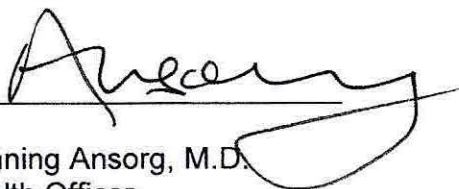
If any provision of this Order or the application thereof to any person or circumstance is held to be invalid by a court of competent jurisdiction, the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue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

The violation of any provision of this Order constitutes a threat to public health. Pursuant to Government Code sections 26602 and 41601 and Health and Safety Code sections 101029 and 120295, the Health Officer requests that the Sheriff and all chiefs of police in the County ensure compliance with and enforce this Order. Per Health and Safety Code section 101029, "the sheriff of each county, or city and county, may enforce within the county, or the city and county, all orders of the local health officer issued for the purpose of preventing the spread of any contagious, infectious, or communicable disease. Every peace officer of every political subdivision of the county, or city and county, may enforce within the area subject to his or her jurisdiction all orders of the local health officer issued for the purpose of preventing the spread of any contagious, infectious, or communicable disease. This section is not a limitation on the authority of peace officers or public officers to enforce orders of the local health officer. When deciding whether to request this assistance in enforcement of its orders, the local health officer may consider whether it would be necessary to advise the enforcement agency of any measures that should be taken to prevent infection of the enforcement officers."

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

This Order 2020-4.6 amends Order 2020-4.5 previously issued by the County of Santa Barbara Health Officer which was effective July 31, 2020.

IT IS SO ORDERED:



Henning Ansorg, M.D.
Health Officer
Santa Barbara County Public Health Department

Attachment A

The Health Officer orders that all individuals entering critical infrastructure facilities listed below submit to a temperature screening, by the least intrusive means as possible, and conduct a self-evaluation for COVID-19 symptoms, prior to entering these locations:

1. County of Santa Barbara County Jail
4436 Calle Real, Santa Barbara, CA 93110
2. Los Prietos Boys' Camp
3900 Paradise Road, Santa Barbara, CA 93105
3. County of Santa Barbara Juvenile Hall
Santa Maria Juvenile Hall, 4263 California Boulevard, Santa Maria, CA 93455
4. County of Santa Barbara Office of Emergency Management
4408 Cathedral Oaks Road, Santa Barbara, CA 93110
5. County of Santa Barbara Public Health Department Operations Center
300 North San Antonio Road, Santa Barbara, CA 93110

COVID-19 SELF-EVALUATION

Health Officer Order requires individuals to conduct a self-evaluation prior to entering this critical infrastructure facilities and prohibits you from entering if you have these symptoms:

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

Sore Throat

Runny Nose

Fever

Chills

Not Feeling Well

Sneezing

Coughing

Gastro-Intestinal symptoms such as:

Soft Stool

Stomach Cramps

New loss of smell and/or taste

DO NOT ENTER THESE FACILITIES

IF YOU HAVE THESE SYMPTOMS

HEALTH OFFICER ORDER NO. 2020-10.2
COUNTY OF SANTA BARBARA

FOR THE CONTROL OF COVID-19
FACE COVERINGS
WITHIN SANTA BARBARA COUNTY

Health Officer Order No. 2020-10.2 Supersedes and Replaces Health Officer Order No.
2020-10.1

Effective Date: August 20, 2020, 5:00pm PDT

(Changes are underlined.)

Please read this Order carefully. Violation of or failure to comply with this Order may constitute a misdemeanor punishable by fine of up to \$1,000, imprisonment, or both. (Health and Safety Code §§ 101029, 120295 et seq.) Violators are also subject to civil enforcement actions including fines or civil penalties per violation per day, injunctive relief, and attorneys' fees and costs.

This Health Officer Order No. 2020-10.2 supersedes and replaces Health Officer Order No. 2020-10.1 that was effective July 23, 2020. Nothing in this Health Officer Order No. 2020-10.2 supersedes State Executive Orders or State Health Officer Orders or guidance provided by the California Department of Public Health available at:
<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/Guidance.aspx#>

Summary: As required by the State Public Health Officer as of June 18, 2020, revised June 29, 2020, this Health Officer Order orders individuals in the County of Santa Barbara continue to wear face coverings when in high-risk situations that may contribute to the spread of COVID-19, unless an exemption applies.

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

WHEREAS, there has been significant community-based transmission in California; and

WHEREAS, in the County of Santa Barbara as well as throughout California and the nation, there are insufficient quantities of critical healthcare infrastructure, including hospital beds, ventilators and workers, capable of adequately treating mass numbers of patients at a single time – should the virus spread unchecked; and

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

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

WHEREAS, on May 4, 2020, Governor Newsom issued Executive Order N-60-20 to allow reopening of lower-risk businesses and spaces ("Stage Two Resilience Roadmap") and to allow a County to pursue a variance to move further into the stage upon notification and certification through submission of a written attestation to the California Department of Public Health (CDPH); and

WHEREAS, on May 20, 2020, the CDPH posted the State's website the County of Santa Barbara's attestation to move further into the Stage Two Resilience Roadmap which indicates the County may proceed to allow an increase in business activities; and

WHEREAS, on June 18, 2020, and revised on June 29, 2020, the CDPH mandated people in California to wear face coverings when they are in high-risk situations; and

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

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

WHEREAS, the intent of this Order is to temporarily require the use of Face Coverings to slow the spread of COVID-19 in Santa Barbara County to the maximum extent possible. All provisions of this Order should be interpreted to effectuate this intent.

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

1. This Order 2020-10.2 is effective 5:00 p.m. (PDT) August 20, 2020 and continuing until 5:00 p.m. (PDT), on September 18, 2020 or until it is extended, rescinded, superseded, or amended in writing by the County of Santa Barbara Health Officer ("Health Officer").

This Order applies in the incorporated and unincorporated areas of Santa Barbara County ("County").

2. As used in this Order, a "face covering" means a covering made of a variety of materials such as cloth, fabric, cotton, silk, linen, or other permeable materials, that fully covers the tip of a person's nose and mouth, without holes, including cloth face masks, surgical masks, towels, scarves, and/or bandanas. This Order does not require the public to wear medical-grade masks, including masks rated N95, KN95, and their equivalent or better.

A face covering with a one-way valve (typically a raised plastic cylinder about the size of a quarter on the front or side of the mask) that provides a preferential path of escape for exhaled breath shall not be used as a face covering under this Order because the valve permits respiratory droplets to easily escape which places others at risk.

3. People in Santa Barbara County shall wear face coverings when they are in the following high-risk situations, unless an exemption applies:
 - a. In any indoor public space where other people (except for members of the person's own household or residence) are present when unable to physically distance by six or more feet from those others (regardless of whether or not the space is publicly or privately owned, so long as the public has access by right or invitation, whether express or implied, whether by payment or not).
 - b. Obtaining services from the healthcare sector in settings such as a hospital, pharmacy, medical clinic, laboratory, physician or dental office, veterinary clinic, or blood bank, unless directed otherwise by an employee or healthcare provider.
 - c. While outdoors in public spaces when maintaining a physical distance of 6 feet from persons who are not members of the same household or residence is not feasible.
 - d. When waiting in line, whether indoors or outdoors.
 - e. Waiting for, or riding, on public transportation or paratransit, or while in a taxi, private car service, or ride-sharing vehicle.
 - f. Driving, or operating, any public transportation or paratransit vehicle, taxi, or private car service or ride-sharing vehicle when passengers are present. When no passengers are present, face coverings are strongly recommended.
 - g. Engaged in work, whether at the workplace or performing work off-site, when:
 - i. Interacting in-person with any member of the public;
 - ii. Working in any space visited by members of the public, regardless of whether anyone from the public is present at the time;
 - iii. Working in any space where food is prepared or packaged for sale or distribution to others;
 - iv. Working in, or walking through common areas, such as hallways, stairways, elevators, and parking facilities; and
 - v. In any room or enclosed area where other people (except for members of the person's own household or residence) are present when unable to physically distance by six or more feet from those others.

4. The following individuals are exempted from this Order:
 - a. Persons younger than two years old.
 - b. Persons with a medical condition, mental health condition, or disability that prevents wearing a face covering. This includes persons with a medical condition for whom wearing a face covering could obstruct breathing or who are unconscious, incapacitated, or otherwise unable to remove a face covering without assistance. Persons exempted from wearing a face covering due to a medical condition, mental health condition, or disability who are employed in a job involving regular contact with others should, if the condition allows, wear a non-restrictive alternative, such as a face shield with a drape on the bottom edge.
 - c. Persons who are hearing impaired, or communicating with a person who is hearing impaired, where the ability to see the mouth is essential for communication.
 - d. Persons for whom wearing a face covering would create a risk to the person related to their work, as determined by local, state, or federal regulators or workplace safety guidelines.
 - e. Persons who are obtaining a service involving the nose or face for which temporary removal of the face covering is necessary to perform the service.
 - f. Persons who are seated at a restaurant or other establishment that offers food or beverage service, while they are eating or drinking, provided that they are able to maintain a distance of at least six feet away from persons not seated at or serving their table.
 - g. Persons who are engaged in outdoor work or recreation such as swimming, walking, hiking, bicycling, or running, when alone or with household members, and when they are able to maintain a distance of at least six feet from others who are not part of their household or residence.
 - h. Persons who are incarcerated. Prisons and jails, as part of their mitigation plans, will have specific guidance on the wearing of face coverings or masks for both inmates and staff.

5. If you cannot afford a face covering one will be provided to you free-of-charge at the following locations:
 - a. Santa Barbara County Administration building lobby, 105 E Anapamu St, Santa Barbara
 - b. Santa Barbara Health Care Center, 345 Camino del Remedio, Santa Barbara
 - c. Santa Maria Health Care Center, 2115 Centerpointe Parkway, Santa Maria
 - d. Face coverings may also be available by calling 211 to access offers by community groups at no cost.
 - e. The Health Officer requests cities within the County of Santa Barbara provide face coverings free-of-charge to those cannot afford them.

This Order is issued as a result of the worldwide pandemic of COVID-19 which has infected at least 21,959,066 individuals worldwide, in 213 countries and territories, including 7,274 cases, and 77 deaths in the County, and is implicated in over 775,536 worldwide deaths.

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

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

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

This Order is issued in accordance with, and incorporates by reference: the March 4, 2020 Proclamation of a State Emergency issued by Governor Gavin Newsom; the March 12, 2020 Declaration of Local Health Emergency and Proclamation of Emergency based on an imminent and proximate threat to public health from the introduction of novel COVID-19 in the County; the March 17, 2020 Resolution of the Board of Supervisors ratifying the County Declaration of Local Health Emergency and Proclamation of Emergency regarding COVID-19; the guidance issued on March 11, 2020 by the California Department of Public Health regarding large gatherings of 250 people or more; Governor Gavin Newsom's Executive Order N-25-20 of March 12, 2020 preparing the State to commandeer hotels and other places of temporary residence, medical facilities, and other facilities that are suitable as places of temporary residence or medical facilities as necessary for quarantining, isolating or treating individuals who test positive for COVID-19 or who have had a high-risk exposure and are thought to be in the incubation period; the March 13, 2020 Presidential Declaration of a National Emergency due to the national impacts of COVID-19; the guidance issued on March 15, 2020 by the Centers for Disease Control and Prevention, the California Department of Public Health, and other public health officials through the United States and around the world recommending the cancellation of gatherings involving more than fifty (50) or more persons in a single space at the same time; the March 16, 2020 order of the State Public Health Officer prohibiting all gatherings with expected presence above ten (10) individuals; Governor Newsom's Executive Order N-33-20 of March 19, 2020 ordering all persons to stay at home to protect the health and well-being of all Californians and to establish consistency across the state in order to slow the spread of COVID-19; the March 22, 2020, Presidential Declaration of a Major Disaster in California beginning on January 20, 2020 under Federal Emergency Management Agency (FEMA) Incident DR-4482-CA; and, Governor Newsom's Executive Order N-60-20 of May 4, 2020 to allow reopening of lower-risk businesses and spaces ("Stage Two"), and then to allow reopening of higher-risk businesses and spaces ("Stage Three"), and directing the Public Health Officer to establish criteria and procedures to determine whether and how particular local jurisdictions may implement public health measures that depart from the statewide directives of the State Public Health Officer; the June 18, 2020, as revised on June 29, 2020, CDPH guidance requiring people in California to wear face coverings when they are in high-risk situations; the July 13, 2020 State Public Health Officer Order.

This Order is made in accordance with all applicable State and Federal laws, including but not limited to: Health and Safety Code sections 101040 and 120175; Health and Safety Code

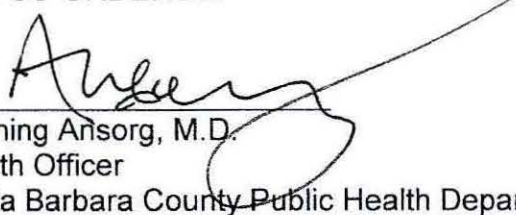
sections 101030 et seq., 120100 et seq.; and Title 17 of the California Code of Regulations section 2501.

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

The violation of any provision of this Order constitutes a threat to public health. Pursuant to Government Code sections 26602 and 41601 and Health and Safety Code sections 101029 and 120295, the Health Officer requests that the Sheriff and all chiefs of police in the County ensure compliance with and enforce this Order. Per Health and Safety Code section 101029, "the sheriff of each county, or city and county, may enforce within the county, or the city and county, all orders of the local health officer issued for the purpose of preventing the spread of any contagious, infectious, or communicable disease. Every peace officer of every political subdivision of the county, or city and county, may enforce within the area subject to his or her jurisdiction all orders of the local health officer issued for the purpose of preventing the spread of any contagious, infectious, or communicable disease. This section is not a limitation on the authority of peace officers or public officers to enforce orders of the local health officer. When deciding whether to request this assistance in enforcement of its orders, the local health officer may consider whether it would be necessary to advise the enforcement agency of any measures that should be taken to prevent infection of the enforcement officers."

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

IT IS SO ORDERED:



Henning Ansorg, M.D.
Health Officer
Santa Barbara County Public Health Department

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT
 IMPROVEMENT DISTRICT NO. 1
AUGUST 18, 2020 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, August 18, 2020 via video/teleconference due to the COVID-19 Emergency and Governor Newsom’s Executive Orders.

Trustees Present: Jeff Clay Brad Joos
 Lori Parker Lee Rosenberg

Trustees Absent: Michael Burchardi

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

I. CALL TO ORDER AND ROLL CALL

President Clay called the meeting to order at 3:03 p.m., he stated this was a Regular Meeting of the Board of Trustees. Ms. Martone reported four members of the Board were present and Trustee Mike Burchardi was absent.

II. PLEDGE OF ALLEGIANCE:

President Clay led the Pledge of Allegiance.

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

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

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

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

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

V. PUBLIC COMMENT:

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

Mr. Garcia stated that the Notice and Agenda for this Regular Meeting requested members of the public to submit advance written comments to the District via electronic mail by 5:00 p.m. on Monday, August 17, 2020. Mr. Garcia reported that no written comments were submitted to the District for the meeting.

DRAFT

1 VI. CORONAVIRUS (COVID-19) UPDATE

2 A. General Manager's Report

3 The Board packet included copies of press releases issued by the Santa Barbara County Public
4 Health Department dated July 20 and 23, 2020 and August 4 and 12, 2020 regarding current
5 requirements pertaining to COVID-19.
6

7 Mr. Garcia reported on the current activities related to the COVID-19 pandemic and the
8 District's actions. He stated that staff continues to receive and review updates related to
9 COVID from federal, state, regional, and local agencies. Mr. Garcia explained that staff
10 canvassed other public agencies in the region to ascertain how they are operating during this
11 time with regard to staffing levels. He indicated that findings ranged from having full regular
12 staffing levels with rigorous protocols in place, to others maintaining a rotating schedule to
13 retain resiliency. He explained that the District continues to maintain the same response plan
14 as last month, with staff being divided into two teams alternating each week. Mr. Garcia
15 reiterated to the Board that, in the event District staff were to be directly affected by COVID-
16 19, the District has a professional services agreement with a professional temporary staffing
17 agency that specializes in providing certified operators and employees to water agencies. He
18 reported that the District is continuing with a rigorous daily disinfection process, along with
19 a weekly service that conducts a commercial grade disinfection.
20

21 VII. CONSIDERATION OF THE MINUTES OF THE REGULAR MEETING OF JULY 21, 2020:

22 The Regular Meeting Minutes from July 21, 2020 were presented for consideration.
23

24 President Clay asked if there were any changes or additions to the Regular Meeting Minutes of July
25 21, 2020. There were no changes or additions requested.
26

27 It was MOVED by Trustee Joos, seconded by Trustee Parker, and carried by a 4-0-0 roll call vote,
28 with Trustee Burchardi absent, to approve the July 21, 2020 Regular Meeting Minutes as presented.
29

30 VIII. CONSENT AGENDA:

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

33 Mr. Garcia reviewed the Consent Agenda Report for the month of May.
34

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

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

40 A. DISTRICT ADMINISTRATION

41 1. Financial Report on Administrative Matters

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

43 Ms. Martone reported that the Board was provided the Statement of Revenues and
44 Expenses for the month of July via email. She also explained that the reports were
45 posted on the District's website in the Board packet materials for any members of the
46 public wishing to follow along or receive a copy.
47

48 Ms. Martone reviewed the Statement of Revenues and Expenses for the month of July.
49 Ms. Martone explained that the District's 2020-2021 fiscal year began on July 1st and
50 the financials reflect the first month of activity for the new fiscal year. Ms. Martone
51 highlighted various line-items and explained that the District is initiating work on
52 various components of the District's approved 2020/2021 Capital Improvement Plan.

DRAFT

1 She reported that District revenues exceeded expenses by \$427,408.04, and thus the
2 year-to-date net income is the same number.

3
4 b) Approval of Accounts Payable

5 Ms. Martone reported that the Board was provided the Warrant List for July 22, 2020
6 through August 18, 2020 via email, and it was posted on the District's website in the
7 Board packet materials for any member of the public wishing to receive a copy.
8

9 The Board reviewed the Warrant List which covered warrants 23258 through 23304
10 for the period of July 22, 2020 through August 18, 2020 in the amount of \$395,682.27.
11

12 It was MOVED by Trustee Rosenberg, seconded by Trustee Parker, and carried by a 4-
13 0-0 roll call vote, with Trustee Burchardi absent, to approve the Warrant List for June
14 17, 2020 through July 21, 2020 as presented.
15

16 c) Water Service Late Penalties

17 Mr. Garcia stated that in response to the COVID-19 pandemic, the Board decided in
18 April to temporarily suspended late penalties on past due customer accounts, which
19 to date has applied to water use from March through July. For the past several
20 months, the Board has reconsidered the matter and determined to continue the
21 temporary suspension of late penalties on a month-to-month basis. Mr. Garcia
22 reviewed the cumulative amounts of past due charges, the number of past due
23 customer accounts in comparison to the prior month's statistics, and the total amount
24 of penalties that have been waived to date. Mr. Garcia reminded the Board that
25 pursuant to the Governor's Executive Order N-42-20 pertaining to COVID-19, public
26 water systems are still prohibited from shutting off water service to domestic users
27 and businesses within designated critical infrastructure sectors who have not paid
28 their bills. He explained that further direction has not been provided by the Governor
29 regarding when the shutoff ban will be lifted. Notably, the Executive Order states that
30 past due amounts are not being forgiven, and thus remain payable, and the Order
31 does not prohibit water agencies from issuing late penalties on past due accounts.
32

33 Board discussion ensued and comments included the total number of past due
34 accounts, types of accounts (domestic vs. agriculture), cumulative total of penalties
35 that have been waived to date, the collection process, customer communication,
36 alternative approaches for how late penalties can be assessed, and how other agencies
37 are handling past due accounts during the pandemic.
38

39 It was MOVED by Trustee Rosenberg, seconded by Trustee Joos, and carried by a 4-0-
40 0 roll call vote, with Trustee Burchardi absent, to continue the suspension of late
41 penalties for the next billing cycle (August water use), and to direct staff to canvass
42 other agencies and policies of the state and bring back options to address past due
43 accounts for Board consideration at the September meeting.
44

45 OPERATIONS AND MAINTENANCE

46 1. Update on Lateral Replacement Phase II
47

48 Mr. Garcia reported that due to the COVID-19 pandemic all work related to the Lateral
49 Replacement Phase II project was stopped in March. He stated that staff has been in
50 communication with the District's contractor for the project to discuss required safety
51 protocols and guidelines that could allow work to resume. Mr. Garcia stated that the

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1 District's contractor is scheduled to resume work on Monday, August 24th on Paloma
2 Street. He reported that affected customers have been notified via phone calls and door-
3 tags that work will be occurring in their vicinity. Mr. Garcia reiterated that all District
4 staff and contractors are required to follow safety protocols and guidelines that have been
5 instituted in response to COVID-19.
6

7 **X. REPORT, DISCUSSION AND POSSIBLE BOARD ACTION ON THE FOLLOWING SUBJECTS:**
8

9 **A. CACHUMA PROJECT - OPERATIONS AND SUPPLIES:**

10 1. Cachuma Project Water Service Contract No. I75r-1802R and Status of 2020 Water Service
11 Contract Process

12 The Board packet included July 21, 2020 correspondence from the Santa Barbara County
13 Water Agency regarding public posting of the Draft Amendatory Contract for the
14 Cachuma Project, and July 14, 2020 correspondence from the Santa Barbara County Water
15 Agency regarding proposed Amendments to the Cachuma Member Unit Contracts.
16

17 Mr. Garcia reported on the status of the 2020 Water Service Contract between the United
18 States Bureau of Reclamation (USBR) and the Santa Barbara County Water Agency (Water
19 Agency). He stated that in July, USBR sent a draft Amendment to current Master Contract
20 No. I75r-1802R to the Water Agency and the Cachuma Member Units. Mr. Garcia stated
21 that the draft Amendment retains all of the substantive provisions of the current Master
22 Contract and keeps the current contract in effect for an additional three years to allow
23 USBR, the Water Agency, and the Cachuma Member Units time to negotiate the next set
24 of long-term contracts for the Cachuma Project. He stated that USBR has posted a 60-day
25 public comment period for the Master Contract Amendment, which closes on September
26 17, 2020. Mr. Garcia also reported that the Water Agency has circulated proposed
27 amendments to the Cachuma Member Units subcontracts which would extend them for
28 the same three-year period as the Master Contract Amendment. He stated that the First
29 Amendment to the Member Unit Contract between the District and the Water Agency will
30 be presented to the Board at the September meeting for discussion and possible action.
31

32 2. Draft Rescheduling/Carryover Guidelines for the Cachuma Project

33 The Board packet included July 31, 2020 correspondence from USBR to the Cachuma
34 Member Units and other parties regarding Draft Rescheduling/Carryover Guidelines for
35 the Cachuma Project. The Board packet also included a response letter dated August 10,
36 2020 from the Cachuma Member Units to USBR, and a response letter dated August 11,
37 2020 from the Cachuma Conservation Release Board (CCRB) to USBR.
38

39 Mr. Garcia reported on the July 31, 2020 email received from USBR to the Cachuma
40 Member Units, CCRB, and the Cachuma Operation and Maintenance Board (COMB)
41 regarding USBR's proposed rescheduling/carryover guidelines for the Cachuma Project.
42 Mr. Garcia explained that USBR is reviewing proposed guidelines on how they would
43 administer carryover water that is stored in the Cachuma Project. Mr. Garcia provided
44 historical information on the annual allocation, how carryover water is stored and used,
45 and provisions of the Master Contract related to carryover water. Mr. Garcia stated that
46 the Cachuma Member Units collectively responded in opposition to USBR on August 10,
47 2020 with comments on the draft proposal to change storage operations at Lake Cachuma.
48 He reported that CCRB also provided a letter discussing their concerns. Mr. Garcia stated
49 that the proposal to modify carryover is not consistent with the terms of the Master
50 Contract and thus should be addressed in the negotiations for the next long-term contract.
51 Mr. Garcia stated there has been no response from USBR at this time.
52

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1 Board discussion ensued and comments included Santa Barbara County's involvement in
2 the USBR contract negotiations, prior "unaccounted for water" issues, ongoing
3 consultation under the federal Endangered Species Act, water rights permits, and release
4 requirements under the new State Board Order.
5

6 3. Draft Cachuma Project Yield Study

7 The Board packet included an August 7, 2020 PowerPoint document prepared by Stetson
8 Engineers, titled Draft Cachuma Project Safe and Operational Yield Study.
9

10 Mr. Garcia provided an overview of the August 7, 2020 teleconference where Stetson
11 Engineers presented the Draft Cachuma Project Safe and Operational Yield Study (Draft
12 Study) to USBR, the Santa Barbara County Water Agency,, the Cachuma Member Units,
13 CCRB, COMB, and the Santa Ynez River Water Conservation District (Parent District).
14 Mr. Garcia explained that the Draft Study was completed on behalf of the County and it
15 provides a history of how the yield of the Cachuma Project has evolved from the inception
16 to present day, the various factors that have gone into different yield analyses, and factors
17 that may be evaluated going forward in the yield analysis for the Cachuma Project. He
18 reported that the Cachuma Member Units are reviewing the Draft Study, have initial
19 concerns, and likely will be preparing and submitting comments.
20

21 **B. CACHUMA PROJECT - IMPLEMENTATION OF 2000 BIOLOGICAL OPINION:**

- 22 1. Successful Resolution of Cachuma Operation and Maintenance Board v. Santa Ynez River
23 Water Conservation District, Improvement District No.1, Santa Barbara County Superior
24 Court Case No. 19CV01873
25

26 Mr. Garcia stated that at the July 21st Board meeting the ID No.1 Board took action to
27 approve the First Amendment to the Cachuma Operation and Maintenance Board Joint
28 Powers Authority Separation Agreement (First Amendment). He explained that the First
29 Amendment was also approved and executed by the Cachuma Operation and
30 Maintenance Board (COMB) and all member agencies of COMB, and as a result the
31 lawsuit that COMB previously filed against the District has been dismissed. Mr. Garcia
32 stated this was a successful resolution of a dispute that arose many years ago.
33

34 **C. SUSTAINABLE GROUNDWATER MANAGEMENT ACT:**

- 35 1. Eastern Management Area Update
36

37 Mr. Garcia reported that the next meeting of the Eastern Management Area (EMA)
38 Groundwater Sustainability Agency (GSA) is on August 27, 2020 at 6:30 p.m. via
39 teleconference. He reviewed current activities undertaken by the consultant (GSI) who is
40 currently working on various technical matters, including the hydrogeologic conceptual
41 model, which will support preparation of the EMA Groundwater Sustainability Plan. Mr.
42 Garcia stated that the EMA Citizens Advisory Committee remains involved and has
43 reviewed various public outreach materials and all draft technical documents produced
44 to date. Mr. Garcia reported that there also has been coordination between the EMA and
45 other management areas of the basin to ensure that assumptions on technical issues are
46 being shared and coordinated as required by the Sustainability Groundwater
47 Management Act (SGMA). Mr. Garcia reiterated the importance of the SGMA process
48 and the public meetings that are taking place related to each area of the Basin. He
49 encouraged public participation and all stakeholders to become involved in the process.
50
51

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1 XI. UPDATE FROM ALTERNATIVE POWER / SOLAR AD HOC SUBCOMMITTEE:

2 The Board packet included a July 15, 2020 Central Coast Water Authority Memorandum from
3 John Brady discussing Siemens Energy & Environmental Solution Proposal for Solar Power
4 Installation at the Water Treatment Plant and 20 Year Power Purchase Agreement.
5

6 Mr. Garcia reported that Trustees Joos and Rosenberg currently serve as the District's Ad Hoc
7 Committee for Alternative Power/Solar. He explained that he and the Ad Hoc Committee are
8 currently working with two companies, REC Solar and Siemens Energy, to discuss issues related
9 to potential infrastructure improvements and cost savings for power consumption. Mr. Garcia
10 reported that he and Trustee Rosenberg attended a teleconference with representatives from REC
11 Solar on August 14th where they discussed the District's primary objectives in discussing solar
12 alternatives, which include cost savings, resiliency and redundancy, and implementing
13 environmentally friendly designs. Mr. Garcia explained that he is finalizing arrangements that
14 will enable the solar companies to review the District's utility usage and infrastructure locations,
15 and determine whether to provide project proposals for the District. He stated that the Board
16 packet included a Central Coast Water Authority (CCWA) Staff Memorandum discussing a
17 Siemens Energy & Environmental Solution Proposal for Solar Power Installation at the CCWA
18 Polonio Pass Water Treatment Plant for Board information. Trustee Rosenberg requested that
19 this item be included on the next agenda to provide updates to the Board.
20

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

25 Trustee Clay reported that he attended the Central Coast Water Authority Board of Directors
26 teleconference meeting on July 31, 2020 and provided a review of the topics discussed at the
27 meeting.
28

29 Mr. Garcia reported that the District experienced an extended power outage on Saturday, August
30 15th due to extreme weather conditions. He stated the outage began at approximately 9:15 a.m.
31 and lasted until approximately 6:00 p.m. Mr. Garcia discussed and complimented the field
32 crew's response to immediately mobilize and stabilize water supply to District customers
33 throughout the entire power outage, wherein the District faced hot temperatures and increased
34 water demands throughout the entire day. He stated the field crew utilized two of the District's
35 industrial generators to keep the system up and running during the power outage and that no
36 customers were without water during the day. Mr. Garcia explained that staff has received
37 various alerts from Cal ISO and PG&E about conserving energy and possible upcoming Public
38 Safety Power Shutdown (PSPS) events, which have been forwarded to District customers via
39 email. The Board complimented staff on a job well done and discussed the importance of keeping
40 water available during critical times. The Board briefly discussed the need for an additional
41 generator. Mr. Garcia stated that the Board recently approved the purchase of an additional
42 generator as part of the 2020/2021 Budget and Capital Improvement Plan. He reported that
43 quotes have been received and the additional generator has been ordered.
44

45 The Board packet included a July 16, 2020 Los Olivos Community Services District letter
46 discussing a Wastewater Project Update and November 2020 Director Elections. Mr. Garcia
47 reported that he has been in contact with the Los Olivos CSD General Manager, Mr. Doug Pike,
48 and that the CSD is in the preliminary stages of developing a wastewater treatment design for
49 the Los Olivos community.
50

51 The Board packet included an August 13, 2020 letter from the Santa Ynez River Water
52 Conservation District announcing a downstream water rights release, which is scheduled to

1 commence on August 31, 2020 to replenish the alluvial groundwater basins along the Santa Ynez
2 River between Bradbury Dam and Lompoc.

3
4 The Board packet included the Family Farm Alliance Monthly Briefing for July 2020.

5
6 **XIII. CORRESPONDENCE: GENERAL MANAGER RECOMMENDS THE ITEMS NOT MARKED WITH AN**
7 **ASTERISK (*) FOR FILE:**

8 The Correspondence list was received by the Board.

9
10 **XIV. REQUESTS FOR ITEMS TO BE INCLUDED ON THE NEXT REGULAR MEETING AGENDA:**

11 Trustee Rosenberg requested that the Ad Hoc Committee for Alternative Power/Solar provide
12 an update at the September Meeting.

13
14 **XV. NEXT MEETING OF THE BOARD OF TRUSTEES:**

15 President Clay stated the next Regular Meeting of the Board of Trustees is scheduled for September
16 15, 2020 at 3:00 p.m.

17
18 Mr. Garcia announced that the Open Session public participation video and phone lines would be
19 closed for the next thirty (30) minutes to allow the Board to convene into Closed Session. He
20 explained that the public participation video and phone lines would be reopened thirty (30) minutes
21 later for the remaining Agenda items. Mr. Garcia thanked everyone for participating in the
22 video/teleconference and stated the Open Session meeting would reconvene at 6:36 p.m. to report
23 any action taken during Closed Session.

24
25 **XVI. CLOSED SESSION:**

26 The Board adjourned at 6:06 for a brief recess. At 6:08 p.m. the Board reconvened and adjourned
27 to Closed Session.

28
29 **A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION:**

30 [Subdivision (d)(1) of Section 54956.9 of the Government Code - 2 cases]

- 31 1. Name of Case: Adjudicatory proceedings pending before the State Water Resources
32 Control Board regarding Permits 11308 and 11310 issued on Applications 11331 and
33 11332 to the United States Bureau of Reclamation for the Cachuma Project
34
35 2. Name of Case: Adjudicatory proceedings pending before the State Water Resources
36 Control Board regarding Permit 15878 issued on Application 22423 to the City of
37 Solvang, Petitions for Change, and Related Protests
38

39 **XVII. RECONVENE INTO OPEN SESSION:**

40 [Sections 54957.1 and 54957.7 of the Government Code]

41
42 The public participation video and phone lines were re-opened, and the Board reconvened to
43 Open Session at approximately 6:36 p.m. Ms. Martone conducted roll call and reported that three
44 Trustees were present when the meeting reconvened, with Trustees Rosenberg and Burchardi
45 absent. Mr. Garcia announced that the Board met in Closed Session concerning Agenda Items
46 XVI.A.1-2. He stated that there was no reportable action from Closed Session.

47
48 **XVIII. ADJOURNMENT:**

49 Being no further business, it was **MOVED** by Trustee Joos, seconded by Trustee Clay, and carried
50 by a 3-0-0 roll call vote, with Trustees Rosenberg and Burchardi absent, to adjourn the meeting at
51 approximately 6:40 p.m.
52

RESPECTFULLY SUBMITTED,

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Mary Martone, Secretary to the Board

ATTEST:

Jeff Clay, President

MINUTES PREPARED BY:

Karen King, Board Administrative Assistant

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**BOARD OF TRUSTEES
SANTA YNEZ RIVER WATER CONSERVATION DISTRICT,
IMPROVEMENT DISTRICT NO.1
September 15, 2020**

Consent Agenda Report

CA-1. Water Supply and Production Report. Total water production in **August (555 AF)** was higher than water production in July (502 AF), but overall was well below the 10-year running average for the month of **August (720 AF)**. As previously reported, the District has been experiencing below average demands for domestic, rural residential, and agricultural water supplies due to water conservation, changing water use patterns, private well installations, and weather conditions.

For the month of **August**, approximately **154 AF** was produced from the Santa Ynez Upland wells, and approximately **4 AF** was produced from the 6.0 cfs or 4.0 cfs river well fields. As reflected in the Monthly Water Deliveries Report from the Central Coast Water Authority (CCWA), the District also received approximately **397 AF** of SWP supplies for the month, all of which we attributed to Exchange deliveries. Direct diversions to USBR and the County Park were **2.45 AF**.

The USBR Daily Operations Report for Lake Cachuma in **August** (last data provided was August 29, 2020) recorded the lake elevation at **735.55'** with the end of month storage of **144,249 AF**. USBR recorded total precipitation at the lake of **0.0 inches**. For the month, reservoir storage was supplemented with **89.1 AF** of SWP deliveries for the South Coast agencies. Reservoir evaporation in **August** was **1,471.7 AF**.

Based on the maximum storage of 193,305 AF, Cachuma reservoir is currently (as of **September 8, 2020**) at approximately **72.9%** of capacity (Santa Barbara County Flood Control District, Rainfall and Reservoir Summary). At a point when reservoir storage exceeds 100,000 AF, the Cachuma Member Units typically have received a full allocation, which is the case for this federal WY 2019-20. Conversely, a 20% pro-rata reduction from the full allocation is scheduled to occur in Water Years beginning at less than 100,000 AF, where incremental reductions may occur at other lower storage levels. **For the federal WY 2019-20** (October 1, 2019 through September 30, 2020), USBR has issued a 100% allocation of Cachuma Project supplies to the Cachuma Member Units. ID No.1's share is 10.31% or 2,651 AF. In addition to its 2019-20 allocation, ID No.1 retains in excess of 400 AF of previous year carryover water in the reservoir, subject to evaporation. **For the federal WY 2020-2021** (October 1, 2020 through September 30, 2021), the Cachuma Member Units have requested a 100% allocation. The request was submitted through the County Water Agency on June 29, 2020, and a decision by USBR is pending.

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

NMFS 2000 Biological Opinion

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

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

SWRCB Order WR 2019-0148

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

For the month of August, water releases for fish were 337.3 AF to Hilton Creek and 305.0 AF to the outlet works for a total of 642.3 AF. As of the end of August 2020, a total of approximately 37,562.3 AF of Cachuma Project water has been released under regulatory requirements for the protection of fish and fish habitat below Bradbury Dam since the year after the last spill in 2011.

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

As previously reported, on May 22, 2020 the California Department of Water Resources (DWR) issued notice that the SWP Table A allocation is being increased to 20% for the year. This 20% allocation translates to 140 AF for ID No.1's pro-rated share of Table A supplies through CCWA.

The CCWA Board of Directors did not hold a meeting in August. However, as reflected in the CCWA materials enclosed in the Board packet for our last meeting on August 18, 2020, CCWA continues to remain engaged in a variety of matters related to the SWP and SWP supplies, including but not limited to: the Delta Conveyance Project proposal and potential amendments to the SWP Contract; the CCWA Warren Act Contract renewal for storage and conveyance of SWP supplies in and through Cachuma Project facilities; proposed SWP Contract assignment from the County of Santa Barbara to CCWA; proposed reacquisition of Suspended Table A supplies; and revision to the payment schedule for FY 2020/21 DWR fixed costs.

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

AUGUST 2020

LAKE CACHUMA DAILY OPERATIONS

RUN DATE: September 1, 2020

DAY	ELEV	STORAGE		COMPUTED* INFLOW AF.	CCWA INFLOW AF.	PRECIP ON RES. SURF. AF.	RELEASE - AF.				EVAP		PRECIP INCHES	
		IN LAKE	CHANGE				TUNNEL	HILTON CREEK	OUTLET	SPILLWAY	AF.	INCH		
	737.01	147,954												
1	736.96	147,826	-128	-4.8	9.7	.0	64.6	11.7	10.0	.0	46.6	.270	.00	
2	736.91	147,698	-128	10.4	9.7	.0	65.0	11.7	11.0	.0	60.4	.350	.00	
3	736.88	147,621	-77	59.7	9.7	.0	64.4	11.7	10.0	.0	60.3	.350	.00	
4	736.82	147,467	-154	-19.1	9.7	.0	61.6	11.7	11.0	.0	60.3	.350	.00	
5	736.77	147,339	-128	7.3	0.4	.0	65.8	11.7	10.0	.0	48.2	.280	.00	
6	736.72	147,210	-129	1.8	0.0	.0	63.4	11.7	11.0	.0	44.7	.260	.00	
7	736.67	147,082	-128	4.7	0.0	.0	62.9	11.7	10.0	.0	48.1	.280	.00	
8	736.61	146,928	-154	-11.7	0.0	.0	80.1	11.7	11.0	.0	39.5	.230	.00	
9	736.55	146,777	-151	-13.2	0.0	.0	79.1	11.7	11.0	.0	36.0	.210	.00	
10	736.50	146,650	-127	30.0	0.0	.0	80.4	11.7	10.0	.0	54.9	.320	.00	
11	736.44	146,498	-152	19.5	0.0	.0	82.1	11.6	11.0	.0	66.8	.390	.00	
12	736.38	146,347	-151	-2.1	0.0	.0	81.1	11.6	10.0	.0	46.2	.270	.00	
13	736.33	146,220	-127	33.0	0.0	.0	82.7	11.6	11.0	.0	54.7	.320	.00	
14	736.29	146,119	-101	53.4	0.0	.0	81.5	11.6	10.0	.0	51.3	.300	.00	
15	736.25	146,018	-101	57.3	0.0	.0	70.8	11.6	11.0	.0	64.9	.380	.00	
16	736.19	145,841	-177	-28.3	0.0	.0	63.9	11.6	10.0	.0	63.2	.370	.00	
17	736.15	145,765	-76	49.5	0.0	.0	63.6	11.6	11.0	.0	39.3	.230	.00	
18	736.10	145,638	-127	32.5	0.0	.0	63.6	11.6	11.0	.0	73.3	.430	.00	
19	736.06	145,537	-101	31.8	0.0	.0	65.2	11.6	10.0	.0	46.0	.270	.00	
20	736.01	145,411	-126	27.4	0.0	.0	63.7	11.6	10.0	.0	68.1	.400	.00	
21	735.94	145,234	-177	-23.2	0.0	.0	85.3	11.6	11.0	.0	45.9	.270	.00	
22	735.89	145,107	-127	30.0	0.0	.0	88.5	11.6	11.0	.0	45.9	.270	.00	
23	735.83	144,955	-152	14.1	0.0	.0	95.9	11.6	11.0	.0	47.6	.280	.00	
24	735.79	144,854	-101	-0.7	0.0	.0	51.5	11.6	10.0	.0	27.2	.160	.00	
25	735.74	144,728	-126	-4.5	0.0	.0	49.7	11.6	11.0	.0	49.2	.290	.00	
26	735.71	144,652	-76	12.0	12.4	.0	31.4	11.5	10.0	.0	47.5	.280	.00	
27	735.66	144,525	-127	0.8	12.5	.0	69.5	11.6	10.0	.0	49.2	.290	.00	
28	735.61	144,399	-126	-20.1	12.5	.0	55.1	11.6	11.0	.0	40.7	.240	.00	
29	735.55	144,249	-150	-33.9	12.5	.0	61.3	11.6	10.0	.0	45.7	.270	.00	
30										.0				
31										.0				
TOTAL (AF)			-3,705	313.6	89.1	.0	1,993.7	337.3	305.0	.0	1,471.7	8.610	.00	
(AVG)		146,024												

COMMENTS:

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

DATA BASED ON 24-HOUR PERIOD ENDING 0800.

INDICATED OUTLETS RELEASE INCLUDE ANY LEAKAGE AROUND GATES.



Santa Barbara County - Flood Control District

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

Rainfall and Reservoir Summary

Updated 8am: 9/8/2020

Water Year: 2021

Storm Number: NA

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

*Each Water Year (WY) runs from Sept 1 through Aug 31 and is designated by the calendar year in which it ends

County Real-Time Rainfall and Reservoir Website link > <http://www.countyofsb.org/hydrology>

Rainfall	ID	24 hrs	Storm 0 day(s)	Month	Year*	% to Date	% of Year*	AI
Buellton (Fire Stn)	233	0.00	0.00	0.00	0.00	0%	0%	
Cachuma Dam (USBR)	332	0.00	0.00	0.00	0.00	0%	0%	
Carpinteria (Fire Stn)	208	0.00	0.00	0.00	0.00	0%	0%	
Cuyama (Fire Stn)	436	0.00	0.00	0.00	0.00	0%	0%	
Figueroa Mtn (USFS Stn)	421	0.00	0.00	0.00	0.00	0%	0%	12.5
Gibraltar Dam (City Facility)	230	0.00	0.00	0.00	0.00	0%	0%	12.5
Goleta (Fire Stn-Los Carneros)	440	0.00	0.00	0.00	0.00	0%	0%	
Lompoc (City Hall)	439	0.00	0.00	0.00	0.00	0%	0%	12.5
Los Alamos (Fire Stn)	204	0.00	0.00	0.00	0.00	0%	0%	
San Marcos Pass (USFS Stn)	212	0.00	0.00	0.00	0.00	0%	0%	
Santa Barbara (County Bldg)	234	0.01	0.00	0.01	0.01	33%	0%	
Santa Maria (City Pub.Works)	380	0.00	0.00	0.00	0.00	0%	0%	
Santa Ynez (Fire Stn /Airport)	218	0.00	0.00	0.00	0.00	0%	0%	
Sisquoc (Fire Stn)	256	0.00	0.00	0.00	0.00	0%	0%	

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

2%

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

0%

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

AI (Antecedent Index / Soil Wetness)

6.0 and below = Wet (min. = 2.5)

6.1 - 9.0 = Moderate

9.1 and above = Dry (max. = 12.5)

Reservoirs

Reservoir Elevations referenced to NGVD-29.

**Cachuma is full and subject to spilling at elevation 750 ft.

However, the lake is surcharged to 753 ft. for fish release water.

(Cachuma water storage is based on Dec 2013 capacity revision)

	Spillway Elev. (ft)	Current Elev. (ft)	Max. Storage (ac-ft)	Current Storage (ac-ft)	Current Capacity (%)	Storage Change Mo.(ac-ft)	Storage Change Year*(ac-ft)
Gibraltar Reservoir	1,400.00	1,386.99	4,583	2,077	45.3%	-133	-133
Cachuma Reservoir	753.**	734.23	193,305	140,968	72.9%	-2,807	-2,807
Jameson Reservoir	2,224.00	2,218.96	4,848	4,240	87.5%	-48	-48
Twitchell Reservoir	651.50	542.52	194,971	3,766	1.9%	-54	-54

Click on Site for
Real-Time Readings

[Previous Rainfall and Reservoir Summaries](#)

CIMIS Daily Report

Rendered in ENGLISH Units.

Saturday, August 1, 2020 - Monday, September 7, 2020

Printed on Tuesday, September 8, 2020

Santa Ynez - Central Coast Valleys - Station 64

Date	ETo (in)	Precip (in)	Sol Rad (Ly/day)	Avg Vap Pres (mBars)	Max Air Temp (°F)	Min Air Temp (°F)	Avg Air Temp (°F)	Max Rel Hum (%)	Min Rel Hum (%)	Avg Rel Hum (%)	Dew Point (°F)	Avg Wind Speed (mph)	Wind Run (miles)	Avg Soil Temp (°F)
8/1/2020	0.25	0.00	676	14.5	95.5	52.7	68.8	100	26	60	54.5	3.7	89.1	-- S
8/2/2020	0.25	0.00	685	14.3	95.3	52.1	68.5	100	26	60	54.1	3.8	90.3	-- S
8/3/2020	0.26	0.00	684	14.2	94.9	52.8	69.8	99	27	57	53.9	3.8	90.8	-- S
8/4/2020	0.21	0.00	662	14.9	78.0	54.1	63.2	96	49	75	55.2	4.1	99.1	-- S
8/5/2020	0.21	0.00	642	14.9	77.5	57.0	64.4	92	49	72	55.2	4.4	104.6	-- S
8/6/2020	0.19	0.00	584	14.5	74.8	57.8	63.8	89	54	72	54.6	3.9	92.7	-- S
8/7/2020	0.20	0.00	621	14.8	78.3	56.0	63.7	94	48	73	55.1	3.9	92.5	-- S
8/8/2020	0.23	0.00	663	15.0	89.3	56.8	69.0	91	34	62	55.4	3.4	82.0	-- S
8/9/2020	0.24	0.00	683	14.7	89.6	51.4	68.8	92	33	61	54.8	3.3	80.0	-- S
8/10/2020	0.24	0.00	697 R	14.2	88.1	50.9	66.9	93	34	63	54.0	3.6	86.5	-- S
8/11/2020	0.22	0.00	644	14.5	89.4	51.7	65.8	100	33	67	54.5	3.3	80.2	-- S
8/12/2020	0.24	0.00	649	15.0	93.1	53.0	69.4	100	28	61	55.4	3.5	83.8	-- S
8/13/2020	0.19 R	0.00	478	15.3	103.3 Y	57.5	74.9 Y	91 H	20 H	52 Y	56.0 Y	3.0 Y	71.1 Y	-- S
8/14/2020	0.25 R	0.00	655	16.2	103.0 Y	60.1	-- S	85 H	21 H	-- Q	-- Q	3.8	91.3	-- S
8/15/2020	0.21 R	0.00	520	17.7	104.6 Y	62.7 Y	79.7 R	85 H	28 H	-- R	-- I	3.1 Y	73.9 Y	-- S
8/16/2020	0.24 R	0.00	598	18.1	102.8 Y	64.7 Y	-- S	80 H	29 H	-- Q	-- Q	3.4	82.0	-- S
8/17/2020	0.24 R	0.00	582	18.0	101.1 Y	63.1 Y	78.2 R	86	31	-- R	-- I	3.2 Y	76.1 Y	-- S
8/18/2020	0.23 R	0.00	606	17.6	107.7 R	62.4 Y	-- S	86 H	23 H	-- Q	-- Q	2.8 Y	68.2 Y	-- S
8/19/2020	0.23 R	0.00	562	16.2	105.5 R	65.3 R	-- S	79 H	23 H	-- Q	-- Q	3.0 Y	70.9 Y	-- S
8/20/2020	0.19	0.00	489	14.6	94.5	58.7	71.3	86	28	56	54.7	3.0 Y	71.5 Y	-- S
8/21/2020	0.22	0.00	542	15.3	97.8	54.5	72.9 Y	92	27	55 Y	56.0 Y	3.1 Y	73.8 Y	-- S
8/22/2020	0.20	0.00	485	17.7	97.0	59.5	76.3 R	86 H	33 H	-- R	-- I	2.8 Y	66.8 Y	-- S
8/23/2020	0.12 R	0.00	323	19.7 R	90.7	63.0 Y	74.6 Y	90	47	-- R	-- I	2.7 R	64.9 R	-- S
8/24/2020	0.23	0.00	605	19.3 Y	92.8	59.3	73.7 Y	95	37	68 Y	62.5 Y	3.4	81.4	-- S
8/25/2020	0.20	0.00	570	18.7 Y	87.4	61.3 Y	69.7	98	47	76 Y	61.6 Y	3.4	80.9	-- S
8/26/2020	0.20	0.00	576	16.8	86.6	56.8	67.3	97	46	74	58.6	3.6	85.5	-- S
8/27/2020	0.18	0.00	571	14.9	80.3	55.5	63.8	93	46	74	55.3	3.2 Y	77.6 Y	-- S
8/28/2020	0.20	0.00	593	14.6	87.7	53.2	65.6	95	34	68	54.8	3.4	81.4	-- S
8/29/2020	0.19	0.00	574	14.5	86.2	51.7	64.0	100	33	71	54.6	3.0 Y	72.5 Y	-- S
8/30/2020	0.18	0.00	554	15.1	85.7	53.3	64.5	100	40	73	55.5	3.1 Y	75.2 Y	-- S
8/31/2020	0.18	0.00	539	15.4	85.9	52.8	64.7	100	41	74	56.1	2.9 Y	69.5 Y	-- S
Tots/Avgs	6.62	0.00	591	15.8	91.8	56.8	69.0	93	35	66	55.8	3.4	80.8	--

Santa Ynez - Central Coast Valleys - Station 64

Date	ETo (in)	Precip (in)	Sol Rad (Ly/day)	Avg Vap Pres (mBars)	Max Air Temp (°F)	Min Air Temp (°F)	Avg Air Temp (°F)	Max Rel Hum (%)	Min Rel Hum (%)	Avg Rel Hum (%)	Dew Point (°F)	Avg Wind Speed (mph)	Wind Run (miles)	Avg Soil Temp (°F)
9/1/2020	0.16	0.00	506	15.4	83.6	53.3	64.5	98	43	75	56.2	2.8 Y	66.6 Y	-- S
9/2/2020	0.18	0.00	538	15.3	84.2	54.9	65.1	94	41	72	56.0	3.2	77.4	-- S
9/3/2020	0.18	0.00	542	15.2	84.3	54.8	64.5	94	43	74	55.9	3.1	74.7	-- S
9/4/2020	0.20	0.00	552	15.3	92.5	54.4	67.9	99	35	66	56.0	3.0 Y	71.6 Y	-- S
9/5/2020	0.23 R	0.00	554	14.0	109.1 R	53.8	78.0 Y	90 H	17 H	43 Y	53.5 Y	2.7 Y	64.2 Y	-- S
9/6/2020	0.20 R	0.00	573	13.2	-- S	58.8	-- S	79 H	21 H	-- Q	-- Q	2.6 Y	62.8 Y	-- S
9/7/2020	0.17 A	-- M	-- M	-- M	-- M	-- M	-- M	-- M	-- M	-- M	-- M	-- M	-- M	-- M
Tots/Avgs	1.32	0.00	544	14.7	90.7	55.0	68.0	92	33	66	55.5	2.9	69.6	--

Flag Legend

A - Historical Average

I - Ignore

R - Far out of normal range



CENTRAL COAST WATER AUTHORITY
MEMORANDUM

TO: Ray Stokes, Executive Director
Lisa Long, Controller

FROM: Julie Baker *JB*

SUBJECT: Monthly Water Deliveries

September 8, 2020

According to the CCWA revenue meters at each turnout, the following deliveries were made during the month of August, 2020:

<u>Project Participant</u>	<u>Delivery Amount (acre-feet)</u>
Chorro.....	200.97
López.....	70.53
Shandon.....	0.00
Guadalupe.....	25.19
Santa Maria.....	604.98
Golden State Water Co.....	0.00
Vandenberg.....	290.69
Buellton.....	42.53
Solvang.....	93.80
Santa Ynez ID#1.....	397.38
Bradbury.....	<u>83.75</u>
TOTAL.....	1809.82

In order to reconcile these deliveries with the DWR revenue meter, which read 1849 acre-feet, the following delivery amounts should be used for billing purposes:

<u>Project Participant</u>	<u>Delivery Amount (acre-feet)</u>
Chorro.....	206
López.....	72
Shandon.....	0
Guadalupe.....	26
Santa Maria.....	614*
Golden State Water Co.....	5*
Vandenberg.....	297
Buellton.....	43
Solvang.....	96
Santa Ynez ID#1.....	406
Bradbury.....	<u>84</u>
TOTAL.....	1849

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

Notes: Santa Ynez ID#1 water usage is divided into 0 acre-feet of Table A water and 406 acre-feet of exchange water.

The exchange water is allocated as follows

<u>Project Participant</u>	<u>Exchange Amount (acre-feet)</u>
Goleta	146
Santa Barbara	97
Montecito	98
Carpinteria	65
TOTAL	406

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	10
Santa Barbara	0
Raytheon	4
TOTAL	84

JAB

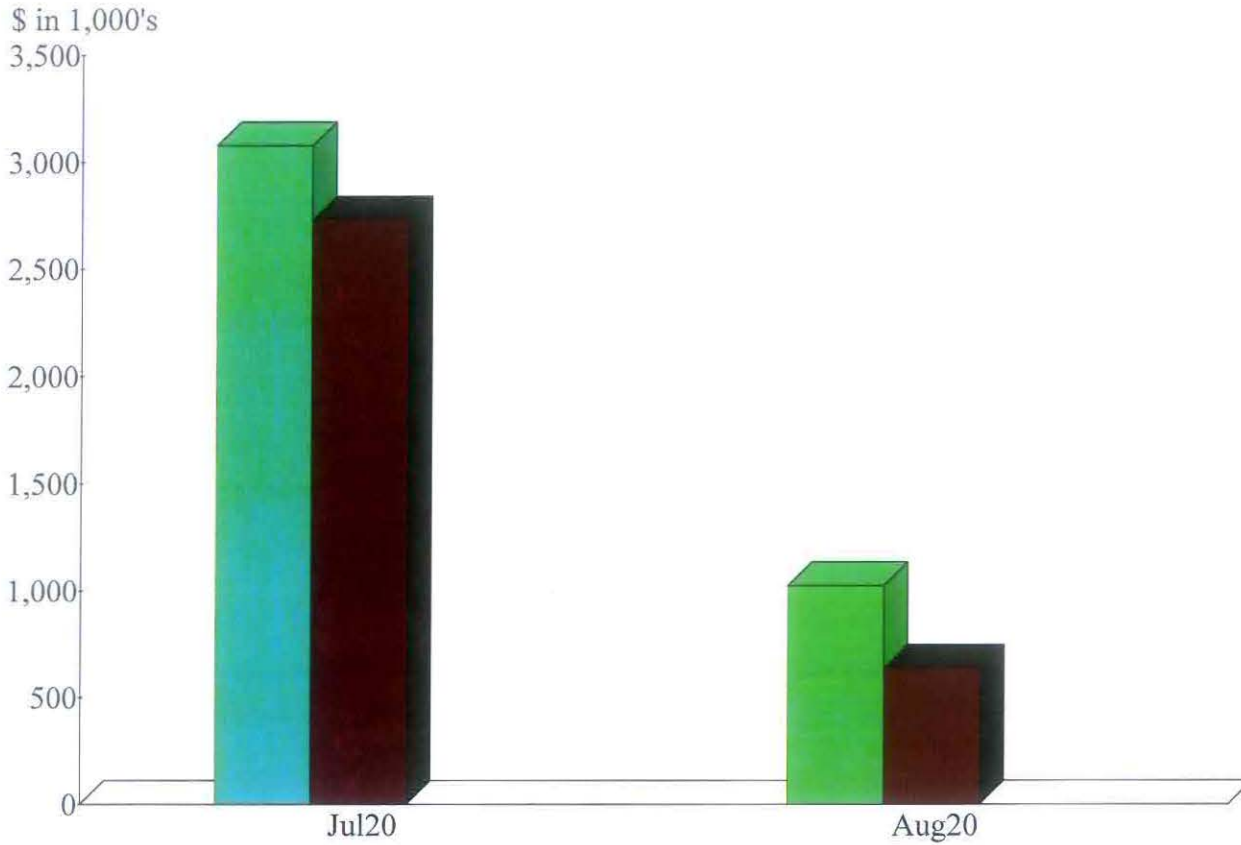
cc: Tom Bunosky, GWD
James Luongo, Golden State WC
Rebecca Bjork, City of Santa Barbara
Daryl Smith, MWD
Janet Gingras, COMB
Craig Kesler, San Luis Obispo County
Paeter Garcia, Santa Ynez RWCD ID#1
Shad Springer, City of Santa Maria
Shannon Sweeney, City of Guadalupe
Robert MacDonald, Carpinteria Valley WD
Mike Peña, City of Guadalupe
Mike Alvarado, La Cumbre Mutual WC
Alex Keuper, CVWD
Pernell Rush, Vandenberg AFB
Nick Turner, Montecito WD
Laura Menahen, Montecito WD
Matt van der Linden, City of Solvang

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

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

Income and Expense by Month
July through August 2020

Income
Expense



Income Summary
July through August 2020

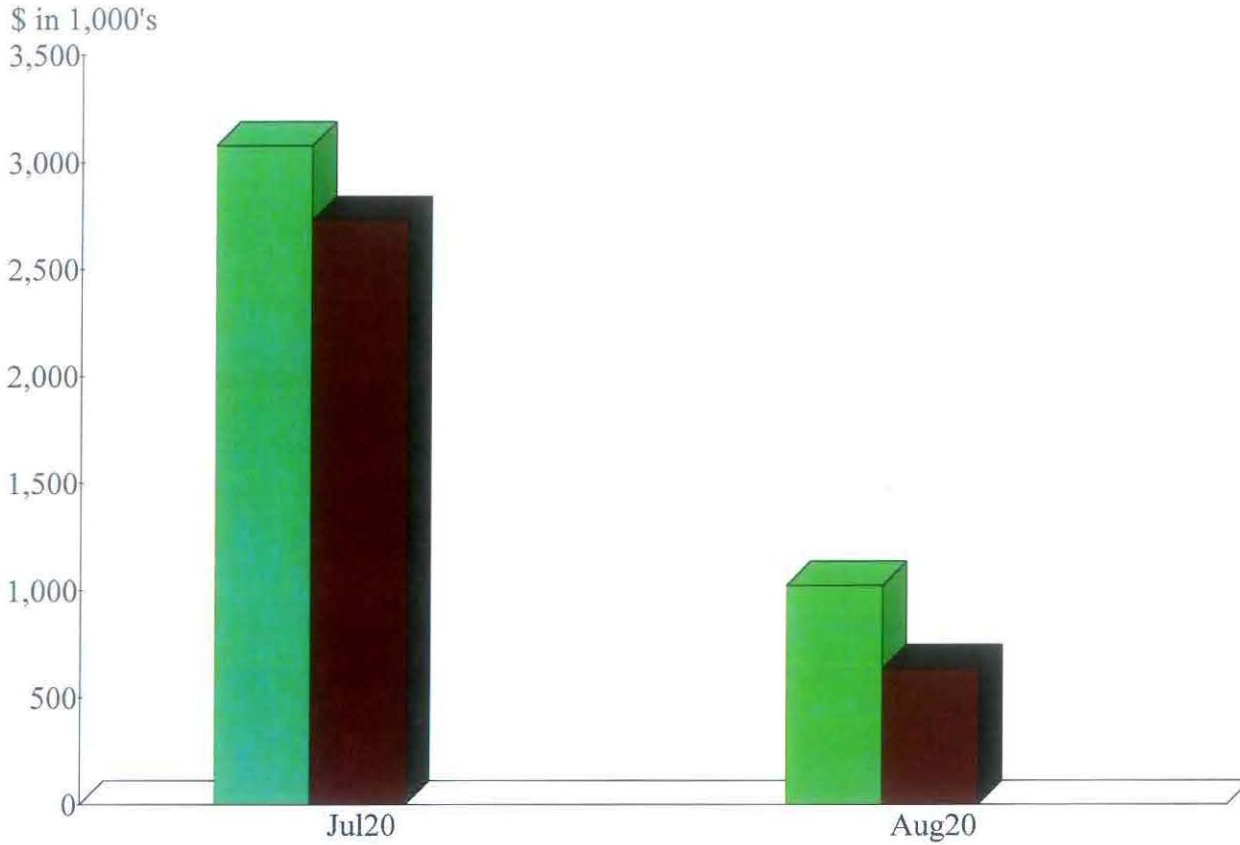
625000 · ASSESSMENTS, FEES & OTH	50.83%
600000 · SERVICE & SALES REVENUE	49.17
Total	\$4,101,379.74



By Account

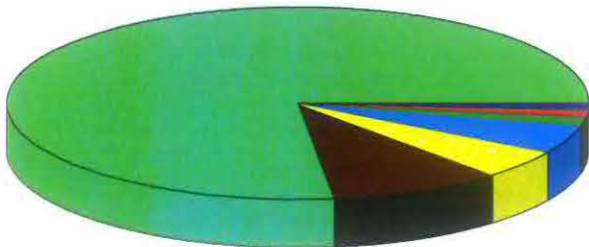
Income and Expense by Month
July through August 2020

Income
Expense



Expense Summary
July through August 2020

702000 · SOURCE OF SUPPLY EXPENSES	77.09%
770000 · GENERAL & ADMIN EXPENSES	9.82
725000 · PUMPING EXPENSES	4.82
750000 · TRANSMISSION & DIST. EXPENSES	4.81
900370 · Capital Expense - CY	1.67
800000 · LEGAL/ENGINEERING	0.81
740000 · WATER TREATMENT EXPENSES	0.29
825000 · STUDIES	0.25
85000 · NON-CAPITAL EXPENSES	0.18
710000 · INFRASTRUCTURE EXPENSES	0.17
900100 · Constr in Progress CY	0.08
Total	\$3,364,014.49



By Account

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

August 2020

	Aug 20	Jul 20	% Change	Jul - Aug 20
Ordinary Income/Expense				
Income				
600000 · SERVICE & SALES REVENUE				
WATER SALES INCOME				
601000 · Water Sales - Agri.	173,424.49	157,602.40	10.04%	331,026.89
602000 · Water Sales - Domestic	504,736.84	532,857.24	-5.28%	1,037,594.08
602100 · Water Sales - RRLmtd Ag.	283,493.05	295,463.95	-4.05%	578,957.00
602200 · Water Sales - Cach Pk	1,822.86	2,187.09	-16.65%	4,009.95
604000 · Water Sales - Temp.	666.60	166.65	300.0%	833.25
606000 · Water Sales - Solvang	4,469.71	4,722.21	-5.35%	9,191.92
608000 · Water Sales - On-Demand	16,032.12	1,265.92	1,166.44%	17,298.04
611500 · Fire Service Fees	9,620.20	9,637.40	-0.18%	19,257.60
Total WATER SALES INCOME	994,265.87	1,003,902.86	-0.96%	1,998,168.73
SERVICE INCOME				
611100 · New Service Fees	15,616.69	0.00	100.0%	15,616.69
611200 · Reconnection Fees	750.00	1,950.00	-61.54%	2,700.00
612400 · Penalties	274.62	10.71	2,464.15%	285.33
Total SERVICE INCOME	16,641.31	1,960.71	748.74%	18,602.02
Total 600000 · SERVICE & SALES REVENUE	1,010,907.18	1,005,863.57	0.5%	2,016,770.75
625000 · ASSESSMENTS, FEES & OTHER				
611600 · Capital Facilities Chrg.	8,904.26	0.00	100.0%	8,904.26
624000 · Miscellaneous Revenue	1,040.00	5,533.05	-81.2%	6,573.05
625200 · Administrative Fees	2,500.00	1,750.00	42.86%	4,250.00
890100 · SWP Pmt. from Solvang	0.00	2,064,881.68	-100.0%	2,064,881.68
Total 625000 · ASSESSMENTS, FEES & OTHER	12,444.26	2,072,164.73	-99.4%	2,084,608.99
Total Income	1,023,351.44	3,078,028.30	-66.75%	4,101,379.74
Cost of Goods Sold				
702000 · SOURCE OF SUPPLY EXPENSES				
703000 · Cach. Water Entitlement	35,426.16	35,426.16	0.0%	70,852.32
704000 · State Water	228,847.99	228,847.99	0.0%	457,695.98
860000 · Solvang-SWPmt	0.00	2,064,881.68	-100.0%	2,064,881.68
Total 702000 · SOURCE OF SUPPLY EXPENSES	264,274.15	2,329,155.83	-88.65%	2,593,429.98
710000 · INFRASTRUCTURE EXPENSES				
711000 · Maintenance - Wells	188.64	153.43	22.95%	342.07
712000 · Maintenance - Mains	5,034.47	0.00	100.0%	5,034.47
713000 · Maintenance - Reservoirs	0.00	372.92	-100.0%	372.92
Total 710000 · INFRASTRUCTURE EXPENSES	5,223.11	526.35	892.33%	5,749.46
725000 · PUMPING EXPENSES				
726000 · Pumping Expense (Power)	76,460.56	84,632.79	-9.66%	161,093.35
730000 · Maintenance - Structures	872.47	50.49	1,628.01%	922.96
732000 · Maintenance - Equipmt.	0.00	270.00	-100.0%	270.00
Total 725000 · PUMPING EXPENSES	77,333.03	84,953.28	-8.97%	162,286.31
740000 · WATER TREATMENT EXPENSES				
744000 · Chemicals	3,830.31	4,392.96	-12.81%	8,223.27
748000 · Maintenance - Equipment	3.97	6.80	-41.62%	10.77
748100 · Water Treatment - Equipm	892.76	0.00	100.0%	892.76
749000 · Water Analysis	0.00	580.00	-100.0%	580.00
Total 740000 · WATER TREATMENT EXPENSES	4,727.04	4,979.76	-5.08%	9,706.80

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

August 2020

	Aug 20	Jul 20	% Change	Jul - Aug 20
750000 · TRANSMISSION & DIST. EXPENSES				
799501 · Uniforms T&D	1,110.30	1,227.65	-9.56%	2,337.95
775401 · ACWA - Health Ins. (T&D)	18,134.95	18,096.19	0.21%	36,231.14
775201 · ACWA - Delta Dental (T&D)	832.32	615.84	35.15%	1,448.16
775301 · ACWA - Vision (T&D)	154.89	119.79	29.3%	274.68
751000 · Labor	53,708.61	49,442.57	8.63%	103,151.18
751100 · Labor / Vacation	970.09	2,321.22	-58.21%	3,291.31
751200 · Labor / Sick Leave	248.01	1,249.42	-80.15%	1,497.43
752000 · Materials/Supplies	41.16	32.20	27.83%	73.36
754000 · Small Tools	37.71	793.91	-95.25%	831.62
754100 · Small Tools - Repairs	0.00	8.17	-100.0%	8.17
755000 · Transportation	3,803.74	2,338.69	62.64%	6,142.43
756000 · Meter Services	181.74	181.74	0.0%	363.48
756100 · Meter Services - Repair	5,184.00	1,023.01	406.74%	6,207.01
Total 750000 · TRANSMISSION & DIST. EXPENSES	84,407.52	77,450.40	8.98%	161,857.92
Total COGS	435,964.85	2,497,065.62	-82.54%	2,933,030.47
Gross Profit	587,386.59	580,962.68	1.11%	1,168,349.27
Expense				
770000 · GENERAL & ADMIN EXPENSES				
6560 · Payroll Expenses	34.00	34.00	0.0%	68.00
775000 · PERS - Retirement	26,323.57	25,623.57	2.73%	51,947.14
775200 · ACWA - Dental (Admin)	692.60	692.60	0.0%	1,385.20
775300 · ACWA - Vision (Admin)	137.34	137.34	0.0%	274.68
775400 · ACWA - Medical Insurance(Admin)	19,304.84	19,304.84	0.0%	38,609.68
777000 · Salaries - Administrative Staff	75,033.75	75,456.48	-0.56%	150,490.23
777100 · Salaries / Vacation	3,584.65	3,412.68	5.04%	6,997.33
777200 · Salaries / Sick Leave	115.43	345.03	-66.55%	460.46
778000 · Training, Travel & Conferences	-475.00	150.00	216.67%	625.00
779000 · Dues,Subscrip,Certif.	0.00	566.00	-100.0%	566.00
780000 · Building Maintenance	1,396.46	1,441.96	-3.16%	2,838.42
781000 · Office Supplies	786.70	1,247.63	-36.94%	2,034.33
781100 · Computer Supply/Training/Softwr	148.46	291.53	-49.08%	439.99
782000 · Postage & Printing	5,539.48	2,455.49	125.6%	7,994.97
783000 · Utilities	929.09	912.78	1.79%	1,841.87
784000 · Telephone	1,137.66	1,251.02	-9.06%	2,388.68
785000 · Special Services	529.21	737.80	-28.27%	1,267.01
785100 · Government Fees	0.00	5,810.00	-100.0%	5,810.00
786000 · Insurance & Bonds	1,027.96	1,027.96	0.0%	2,055.92
787000 · Payroll Taxes	8,913.32	9,768.29	-8.75%	18,681.61
789000 · Legal - Expenses Gen.	3,081.00	3,318.00	-7.14%	6,399.00
790000 · Gen/Prfsnl Consultant Expenses	0.00	20.00	-100.0%	20.00
791000 · Planning & Research	1,762.50	0.00	100.0%	1,762.50
792000 · Bad Debts	0.00	0.00	0.0%	0.00
793000 · Office Equip. Service Contracts	2,056.30	2,250.84	-8.64%	4,307.14
794000 · Interest Expenses	15,655.68	0.00	100.0%	15,655.68
794100 · Annual Fee - Bond Fund	1,425.00	0.00	100.0%	1,425.00
797000 · Trustee Fees	1,400.00	2,200.00	-36.36%	3,600.00

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

August 2020

	Aug 20	Jul 20	% Change	Jul - Aug 20
799000 · Miscellaneous Expenses/Vendors	9.16	0.00	100.0%	9.16
799525 · Gardening Service	240.00	240.00	0.0%	480.00
799600 · Customer Refunds	0.00	-58.73	100.0%	-58.73
Total 770000 · GENERAL & ADMIN EXPENSES	171,739.16	158,637.11	8.26%	330,376.27
Total Expense	171,739.16	158,637.11	8.26%	330,376.27
Net Ordinary Income	415,647.43	422,325.57	-1.58%	837,973.00
Other Income/Expense				
Other Expense				
800000 · LEGAL/ENGINEERING				
800100 · Legal - BHFS				
800102 · Sustainable Grndwtr Mgmt Act	1,567.00	8,864.98	-82.32%	10,431.98
Total 800100 · Legal - BHFS	1,567.00	8,864.98	-82.32%	10,431.98
800200 · Legal -BB&K/Consultants				
800201 · NMFS Biop Recon/Stlhd Rcvry Pln	0.00	2,628.00	-100.0%	2,628.00
Total 800200 · Legal -BB&K/Consultants	0.00	2,628.00	-100.0%	2,628.00
800203 · River Water Righ Proceed (BHFS)	11,234.00	155.00	7,147.74%	11,389.00
800300 · Engineering	0.00	59.25	-100.0%	59.25
800500 · Unanticipated Spc Legal Expense	1,598.50	747.50	113.85%	2,346.00
826201 · SWRCB Order/Studies (BBK)	0.00	292.00	-100.0%	292.00
Total 800000 · LEGAL/ENGINEERING	14,399.50	12,746.73	12.97%	27,146.23
825000 · STUDIES				
825400 · CCRB (Shared Consultants)				
825401 · Joint Bio Op Recon.-Consultants	1,081.25	1,807.50	-40.18%	2,888.75
Total 825400 · CCRB (Shared Consultants)	1,081.25	1,807.50	-40.18%	2,888.75
825600 · SB Co Water Agency				
825601 · Integrated Regional Water Man.	0.00	600.00	-100.0%	600.00
825600 · SB Co Water Agency - Other	236.11	4,584.11	-94.85%	4,820.22
Total 825600 · SB Co Water Agency	236.11	5,184.11	-95.45%	5,420.22
825900 · Water System Study Updt (Stet)	0.00	225.00	-100.0%	225.00
Total 825000 · STUDIES	1,317.36	7,216.61	-81.75%	8,533.97
85000 · NON-CAPITAL EXPENSES				
850500 · USBR Cach Proj Contract/Cap Prg	1,185.00	4,858.50	-75.61%	6,043.50
Total 85000 · NON-CAPITAL EXPENSES	1,185.00	4,858.50	-75.61%	6,043.50
900100 · Constr in Progress CY				
900335 · SWP Pump Station/Pipeline	1,821.70	0.00	100.0%	1,821.70
900332 · Water Treatment Plant/Fac	0.00	907.52	-100.0%	907.52
Total 900100 · Constr in Progress CY	1,821.70	907.52	100.73%	2,729.22
900370 · Capital Expense - CY				
900371 · Office Building/Shop Improvemen	6,775.00	0.00	100.0%	6,775.00
900376 · Communications/Telemetry-SCADA	2,114.33	47,265.50	-95.53%	49,379.83
Total 900370 · Capital Expense - CY	8,889.33	47,265.50	-81.19%	56,154.83
Total Other Expense	27,612.89	72,994.86	-62.17%	100,607.75
Net Other Income	-27,612.89	-72,994.86	62.17%	-100,607.75
Net Income	388,034.54	349,330.71	11.08%	737,365.25

Santa Ynez River Water Conservation District ID #1

Warrant List for Board Approval

August 19 through September 15, 2020

Date	Num	Name	Amount
Aug 19 - Sep 15, 20			
08/31/2020	23305	ACWA/JPIA - Health August Premium	40,140.16
09/15/2020	23306	Advanced Cable Systems	2,397.43
09/15/2020	23307	Aquapulse Chemicals, LLC	3,830.31
09/15/2020	23308	Aramark Uniform Serv Inc.	807.91
09/15/2020	23309	Aspect Engineering Group	43,772.50
09/15/2020	23310	Autosys, Inc.	1,700.00
09/15/2020	23311	B of A Business Card Services-AGM	1,163.69
09/15/2020	23312	B of A Business Card Services-GM2	1,005.99
09/15/2020	23313	Bank of New York Mellon Trust Co	1,425.00
09/15/2020	23314	Bertin Pulido	240.00
09/15/2020	23315	Best Best & Krieger LLP	2,903.75
09/15/2020	23316	Brownstein,Hyatt,Farber, Schreck	16,843.00
08/31/2020	EFT	CA Disbursement Unit - August 2020	1,013.00
08/31/2020	EFT	CalPERS - August 2020	29,791.12
09/15/2020	23317	Cachuma O & M Board	88,766.44
09/15/2020	23318	Central Coast Water Authority	52,293.71
09/15/2020	23319	Chris Mills	86.08
09/15/2020	23320	CIO Solutions, LP	2,708.80
09/15/2020	23321	Clinical Lab of San Bernardino Inc.	580.00
09/15/2020	23322	Comcast	303.49
09/15/2020	23323	Continental Utility Solutions, Inc.	103.30
09/15/2020	23324	David Bertrand	39.86
09/15/2020	23325	Dig Safe Board	23.52
08/31/2020	EFT	Employment Dev. Dept. Aug. Payroll Taxes	7,886.30
09/15/2020	23326	Echo Communications	180.64
09/15/2020	23327	Harrison Hardware Inc	417.37
09/15/2020	23328	ICONIX Waterworks (US) Inc.	2,323.54
09/15/2020	23329	Iron Mountain	81.01
09/15/2020	23330	IVR Technology Group, LLC	71.20
09/15/2020	23331	Jan-Pro Cleaning Systems	2,006.00
09/15/2020	23332	JANO Printing & Mailworks	3,305.00
09/15/2020	23333	Josh Levine	251.31
09/15/2020	23334	JV Outdoor Power Equipment	784.54
09/15/2020	23335	Larry Edwards	21.66
08/31/2020	EFT	Lincoln National Life - Aug 2020	2,350.00
09/15/2020	23336	MarBorg Industries	181.74
09/15/2020	23337	McCormix Corp	1,909.06
08/31/2020	EFT	Mechanics Bank - August Payroll Taxes	33,509.47
09/15/2020	23338	Mid-Coast Fire Protection, Inc.	400.14
09/15/2020	23339	Nielsen Building Materials Inc	274.71
08/31/2020	EFT	Payroll - August 2020	93,347.54
09/15/2020	23340	P G & E	107,825.02
09/15/2020	23341	Praxair Distribution Inc	32.85
09/15/2020	23342	Quadient Finance USA, Inc - Postage	500.00

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

August 19 through September 15, 2020

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Amount</u>
09/15/2020	23343	Quadient Leasing	392.48
09/15/2020	23344	Quill	840.36
09/15/2020	23345	Red Wing Shoes	166.37
09/15/2020	23346	Santa Barbara News-Press	291.08
09/15/2020	23347	Santa Maria CA News Media, Inc	241.00
09/15/2020	23348	Silvas Oil Company (Buvick Petroleum)	1,894.68
09/15/2020	23349	Smiths Alarms & Electronics Inc	2,441.98
09/15/2020	23350	Stetson Engineers Inc	59.25
09/15/2020	23351	SYCSD	80.78
09/15/2020	23352	TechnoFlo Systems	1,821.70
09/15/2020	23353	The Gas Company	18.80
09/15/2020	23354	Tierra Contracting, Inc.	9,915.00
09/15/2020	23355	Total Compensation Systems, Inc. (TCS)	1,440.00
09/15/2020	23356	Trustee/ Brad Joos	400.00
09/15/2020	23357	Trustee/ Jeff Clay	400.00
09/15/2020	23358	Trustee/ Lee Rosenberg	200.00
09/15/2020	23359	Trustee/ Lori Parker	200.00
09/15/2020	23360	Trustee/ Michael Burchardi	200.00
09/15/2020	23361	Underground Service Alert	117.25
09/15/2020	23362	USA Bluebook	1,544.55
09/15/2020	23363	Verizon Wireless	834.17
09/15/2020	23364	Waste Management of Santa Maria	285.99
09/15/2020	23365	WCT Products, Inc.	4,796.73
09/15/2020	23366	William J Brennan	2,400.00
			<u>2,400.00</u>
Total			<u>\$580,580.33</u>

Aug 19 - Sep 15, 20

RESOLUTION NO. 801

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE SANTA YNEZ RIVER WATER
CONSERVATION DISTRICT IMPROVEMENT DISTRICT NO. 1
APPROVING AN UPDATE TO ITS CONFLICT OF INTEREST CODE

WHEREAS, the Political Reform Act (Act), Government Code Section 81000 et seq., requires each state and local government agency to adopt and promulgate a Conflict of Interest Code; and

WHEREAS, the Fair Political Practices Commission has adopted a regulation, found at Section 18730 of Title 2 of the California Code of Regulations, which, in addition to certain provisions of the Act, contains the terms of a standard Conflict of Interest Code, which can be incorporated by reference in an agency's Conflict of Interest Code; and

WHEREAS, in 1977, the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 (District) enacted Resolution No. 162 adopting a Conflict of Interest Code, which has been amended from time to time by resolution and in accordance with applicable requirements, including Appendix "A" describing designated positions and Appendix "B" including categories of disclosure; and

WHEREAS, the Board of Trustees of the District desires to make certain amendments to its Conflict of Interest Code, last updated by District Resolution No. 754 on September 20, 2016.

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

1. The Board of Trustees hereby adopts an amended Conflict of Interest Code, incorporating by reference the terms of Section 18730 of Title 2 of the California Code of Regulations, and including Appendices A and B, a copy of which Conflict of Interest Code with Appendices is attached hereto, which shall be on file with the Board Secretary of the District and available to the public for inspection during regular business hours.
2. The provisions of the Conflict of Interest Code and amendments thereto previously adopted by the Board are superseded and repealed.
3. The Board Secretary is hereby authorized to forward a copy of this Resolution and the District's amended Conflict of Interest Code, along with other related information, to the Santa Barbara County Clerk of the Board of Supervisors.

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

WE, THE UNDERSIGNED, being the duly qualified President and Secretary of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No. 1, do hereby certify that the above and foregoing Resolution was duly and regularly adopted and passed by the Board of Trustees of said District at a Regular meeting held on September 15, 2020 by the following roll call vote:

AYES, and in favor thereof, Trustees:

NOES, Trustees:
ABSENT, Trustees:

Jeff Clay, President

ATTEST:

Mary Martone, Secretary to the Board

CONFLICT OF INTEREST CODE
FOR THE
SANTA YNEZ RIVER WATER CONSERVATION DISTRICT, IMPROVEMENT DISTRICT NO.1

This Conflict of Interest Code, including Appendix A (designated officials and employees) and Appendix B (disclosure categories) attached hereto, is for the Santa Ynez River Water Conservation District, Improvement District No.1 (District). The Political Reform Act (Act), Government Code Section 81000 et seq., requires state and local government agencies to adopt and promulgate conflict of interest codes. The agency may amend its conflict of interest code pursuant to provisions of the Act, including but not limited to Government Code Sections 87303 and 87306. The Fair Political Practices Commission has adopted a regulation, found at Section 18730 of Title 2 of the California Code of Regulations, which, in addition to provisions of the Act, contains the terms of a standard Conflict of Interest Code, which can be incorporated by reference into or as an agency's Conflict of Interest Code. Section 18730 may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. The terms of Section 18730 of Title 2 of the California Code of Regulations and any amendments thereto duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and substituted for the terms of the District's Conflict of Interest Code in effect prior to this Code.

Designated employees may file their statements online using eDisclosure, which will submit the Form 700 to the County Clerk, Recorder and Assessor. Statements will be made available for public inspection and reproduction in accordance with Government Code Section 81008. The District's filing official can provide access to this process.

Designated employees who file using a paper Form 700 shall file with the Code Agency (Santa Ynez River Water Conservation District, Improvement District No.1). Upon receipt of the Statement filed by the designated employee, a copy shall be retained with the Santa Ynez River Water Conservation District, Improvement District No.1 and the original shall be forwarded to the County Clerk, Recorder and Assessor.

Adopted this 15th day of September 2020.

Mary Martone
Secretary to the Board of Trustees

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT, IMPROVEMENT DISTRICT NO.1
CONFLICT OF INTEREST CODE

APPENDIX A

DESIGNATED EMPLOYEES/POSITIONS

Persons occupying the following designated positions must disclose financial interests in those categories described in Appendix B which are listed opposite the respective designated positions.¹

Designated Positions	Disclosure Categories
Trustee	1-5
Treasurer	1-5
General Manager	1-5
Assistant General Manager	1-5
General Counsel	1-5
Consultants ²	1-5

¹ Officials Who Manage Public Investments: The following positions manage public investments and shall file a Statement of Economic Interests pursuant to Government Code Section 87200: (1) Trustees; (2) Treasurer; (3) General Manager; and (4) Assistant General Manager.

² Consultants are considered to be "designated employees." However, the General Manager may determine in writing that a particular consultant, although in a "designated position," performs a limited range of duties and should not be required to fully comply with the disclosure requirements described herein. Such written determination shall include a description of the consultant's duties and based upon that description, a statement of the extent of the disclosure requirements. The General Manager's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT, IMPROVEMENT DISTRICT NO.1
CONFLICT OF INTEREST CODE

APPENDIX B

CATEGORIES OF DISCLOSURE

CATEGORY 1

Interests in real property which are located within the jurisdiction of the District,¹ including any leasehold, beneficial or ownership interest or option to acquire such interest in real property.

CATEGORY 2

Business positions or investments in or income from persons or business entities engaged in the appraisal, acquisition, or disposal of, real property within the jurisdiction of the District.

CATEGORY 3

Business positions or investments in business entities, or income from any sources, if the business entities or sources of income are of the type which might provide services, supplies, materials, machinery, or equipment to or for the use of the District.

CATEGORY 4

Business positions or investments in business entities and income from any sources, if the business entities or sources of income are of the type which might contract with or sell to the District.

CATEGORY 5

Business positions or investments in business entities or income from any sources, if:

- a) The business entities or sources of income have filed a claim, or have a claim pending against the District; and
- b) The designated employee's duties involve the handling or processing of such claim.

¹ Real property is located within the jurisdiction of the District if any part of the property is located within or not more than two miles outside the boundaries of the District or within two miles of any land owned or used by the District.

Agenda Item X. A. 1.



Date: September 15, 2020

To: Board of Trustees

From: Paeter E. Garcia
General Manager

Subject:

- 1. Amendment to Cachuma Project Master Contract No. I75r-1802R between the United States Bureau of Reclamation and the Santa Barbara County Water Agency**
- 2. First Amendments to Cachuma Project Member Unit Contracts between the Santa Barbara County Water Agency and Individual Cachuma Project Member Units**

STAFF REPORT

BACKGROUND AND OVERVIEW

The Cachuma Project is a federally owned water supply project originally developed by the United States Bureau of Reclamation (Reclamation) in the 1940s and 1950s to provide municipal and agricultural water supplies to designated areas of the South Coast and upper Santa Ynez Valley. Water deliveries from the Project began in 1955 pursuant to the initial 40-year contract between Reclamation and the Santa Barbara County Water Agency (Water Agency), along with concurrent long-term subcontracts between the Water Agency and the Cachuma Project Member Units¹ to enable the delivery of Project water supplies to actual end users and for the Cachuma Member Units to repay the costs of constructing the Project. Following these initial long-term contracts, several interim contracts were utilized while the parties negotiated the subsequent (and current) long-term Master Contract No. I75r-1802R between Reclamation and the Water Agency, and related subcontracts between the Water Agency and the Cachuma Member Units, all of which have 25-year terms that are set to expire on September 30, 2020.

As previously reported to the Board, Reclamation and the Water Agency did not timely undertake the process of negotiating the next set of long-term contracts for the Project prior to the September 30, 2020 date on which the current contracts expire. Therefore, Reclamation and the Water Agency have developed an Amendment to the current Master

¹ The Cachuma Project Member Units are the City of Santa Barbara, Goleta Water District, Montecito Water District, Carpinteria Valley Water District, and the Santa Ynez River Water Conservation District, Improvement District No.1.

Contract No. I75r-1802R (Master Contract Amendment) that will extend all of the substantive terms and conditions of the Master Contract for up to three years to provide time for Reclamation, the Water Agency, and the Cachuma Member Units to negotiate the next set of long-term Cachuma Project contracts and undertake all applicable environmental review processes. In addition to extending the current Master Contract for up to three years, the Master Contract Amendment provides updated language for certain provisions to conform with federal contracting guidelines and requirements. As a counterpart to the Master Contract Amendment, the Water Agency has developed First Amendments to the Cachuma Project Member Unit Contracts that will extend all of the substantive terms and conditions of the current Member Unit Contracts for up to three years in accordance with the duration of the Master Contract Amendment.

PROCEDURE AND SCHEDULE

Several materials that were included in the Board packet for our August 18, 2020 meeting are included here again to inform the Board and the public of the Cachuma Project contract documents being proposed for approval by Reclamation, the Water Agency, and the Cachuma Member Units, including this District. The first document is a copy of the Master Contract Amendment between Reclamation and the Water Agency. As shown in **Attachment A** hereto, Reclamation published notice on July 20, 2020 that the Master Contract Amendment is open for a 60-day public comment period that is set to close on September 17, 2020. According to Reclamation staff, Reclamation has determined that its approval of the three-year Master Contract Amendment falls within a categorical exclusion from the National Environmental Policy Act (NEPA) as an approval, renewal, transfer, or execution of an original, amendatory, or supplemental water service or repayment contract, and that for purposes of the federal Endangered Species Act the Master Contract Amendment will not entail additional impacts to Southern California steelhead or its critical habitat outside what is already covered under the existing 2000 Biological Opinion issued by the National Marine Fisheries Service. Also included in Attachment A is an example copy of the First Amendments to the Member Unit Contracts being proposed between the Water Agency and each of the Cachuma Member Units, including this District.

Based on the timing issues described above, the Water Agency expressed concern that its receipt of a final Master Contract Amendment from Reclamation may not occur in sufficient time to present the contract for approval by the County Board of Supervisors (acting as the Water Agency Board of Directors) prior to the September 30, 2020 expiration date. The same concern applied to the timing of the Water Agency's approval of the First Amendments to the Member Unit Contracts. Therefore, as shown in **Attachment B** hereto, the Water Agency Board of Directors acted on the Master Contract Amendment and the First Amendments to the Member Unit Contracts at its August 25, 2020 meeting, as follows:

1. Authorize the Public Works Director to execute the Master Contract Amendment with Reclamation extending the terms and conditions of the current Master Contract for no more than three years;
2. Authorize the Public Works Director to execute First Amendments to the Cachuma Project Member Unit Contracts with each of the Cachuma Member Units extending

the terms and conditions of the current Member Unit Contracts coterminous with the Master Contract Amendment; and

3. Determine that the proposed actions are not “projects” pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(2), continuing organization or administrative activities, and Section 15378(b)(5), organization or administrative activities that will not result in a direct or indirect physical change in the environment; and, further, that the proposed actions are not subject to and are exempt from the requirements of CEQA under CEQA Guidelines Section 15061(b)(3), no possibility that the activity may have a significant effect on the environment, Section 15261(a), project approved prior to November 23, 1970, and Section 15301, operation of existing facilities.

As described herein, the District is not party to the Master Contract Amendment between Reclamation and the Water Agency, thus the District does not act on that document. However, the District is a party to the proposed First Amendment to the Cachuma Project Member Unit Contract with the Water Agency, thus District approval is required for that document. District staff concurs with findings made by the Water Agency and has determined that the District’s approval of the First Amendment to the Member Unit Contract between the District and the Water Agency is not subject to CEQA review pursuant to the CEQA Guidelines Sections set forth above.

Water Agency staff has indicated that the Water Agency will not be in a position to execute the First Amendments to the Member Unit Contracts until after the Water Agency executes the Master Contract Amendment with Reclamation, which currently is scheduled to occur sometime between September 18, 2020 (after the public comment period closes on the Master Contract Amendment) and September 30, 2020 (when the current Master Contract expires).

RECOMMENDATION

By Motion:

1. Authorize the District’s General Manager to execute the First Amendment to the Member Unit Contract between the District and the Water Agency in a form substantially similar to that presented by the Water Agency and as set forth in Attachment A hereto, subject to final review and approval by the District’s General Manager and Legal Counsel, and
2. Determine that the proposed action is not a project pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(2), continuing organization or administrative activities, and Section 15378(b)(5), organization or administrative activities that will not result in a direct or indirect physical change in the environment; and, further, that the proposed action is not subject to and is exempt from the requirements of CEQA under CEQA Guidelines Section 15061(b)(3), no possibility that the activity may have a significant effect on the environment, Section 15261(a), project approved prior to November 23, 1970, and Section 15301, operation of existing facilities.

Paeter Garcia

From: Crease, Fray <fcrease@cosbpw.net>
Sent: Tuesday, July 21, 2020 9:21 AM
To: Paeter Garcia; Ryan Drake; 'Catherine Taylor'; Nicholas Turner (nturner@montecitowater.com); 'Robert McDonald'
Cc: Fayram, Tom; Hartley, Johannah
Subject: Cachuma contract publically posted
Attachments: News Press 7.20.2020 7.pdf

MU Managers,

The draft Cachuma contract has been publically posted by USBR as of yesterday. Attached is a copy of the legal notice page from the News Press and below is a link to the posted document.

<https://www.usbr.gov/mp/sccao/docs/usbr-draft-santa-barbara-county-water-agency-contract.pdf>

The public comment period closes on September 17. Please forward me your agency's signature block for the MU contract amendment if you have not done so already.

Thank you,



Fray A. Crease
Santa Barbara County Water Agency Manager
130 E. Victoria St., Suite 200
Santa Barbara, CA 93101
(805) 668-3542
Water Agency Website: WaterWiseSB.org

DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
Cachuma Project, California

AMENDMENT TO CONTRACT BETWEEN THE UNITED STATES
AND
SANTA BARBARA COUNTY WATER AGENCY
FOR WATER SERVICE FROM THE PROJECT

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Exhibit D – Addresses for the Contractor and Member Units

18 Carpinteria Valley Water District, the City of Santa Barbara, Goleta Water District, Montecito
19 Water District (Summerland Water District incorporated into Montecito Water District), and
20 Santa Ynez River Water Conservation District Improvement District No. 1; and

21 c. WHEREAS, on April 14, 1996, the United States and the Contractor entered into
22 Contract No. I75r-1802R, hereinafter referred to as the Existing Contract, which provided for the
23 continued water service to the Member Units following expiration of Contract No. I75r-1802;
24 and

25 d. WHEREAS, the United States has determined that the Contractor to date has
26 fulfilled all of its obligations under the Existing Contract including full repayment of the
27 Cachuma Project as provided for in Exhibit C of the Existing Contract; and

28 e. WHEREAS, the Contractor, on behalf of the Cachuma Member Units, and the
29 Cachuma Member Units, have requested renewal of the Existing Contract pursuant to that
30 Contract, the Federal Reclamation laws, and the laws of the State of California, for water service
31 from the Cachuma Project, the renewal to be in the form of a repayment contract; and

32 f. WHEREAS, the United States has completed all appropriate environmental
33 review necessary to provide for execution of this Contract Amendment; and

34 g. WHEREAS, the United States and the Contractor mutually commit to negotiate
35 and seek to reach agreement on a long-term repayment contract, that has been delayed for
36 reasons beyond the control of the parties including but not limited to addressing the
37 implementation of State Water Resources Control Board Order 2019-0148 adopted on
38 September 17, 2019, and the ongoing COVID-19 pandemic; and

39 h. WHEREAS, the United States is required to update standard articles in all new or
40 amended contracts; and

41 i. WHEREAS, the United States is willing to extend I75r-1802R pursuant to the
42 terms and conditions set forth below.

43 NOW, THEREFORE, in consideration of the mutual and dependent covenant herein
44 contained, it is hereby mutually agreed by the parties hereto as follows:

45 **RENEWAL AND REVISION OF CONTRACT NO. I75R-1802R**

46 1. Except as specifically modified by this Contract Amendment, all provisions of
47 Contract No. I75r-1802R are renewed with the same force and effect as if they were included in
48 full text with the exception of Article 2 of I75r-1802R thereof, which is revised as follows:

49 (a) The first sentence in subdivision (a) of Article 2 of I75r-1802R is replaced with
50 the following language: "This Contract shall be effective as of October 1, 2020 (Effective Date)
51 through September 30, 2023."

52 **REPLACEMENT OF ARTICLE 10 WITH NEW LANGUAGE**

53 2. Article 10 in the Existing Contract titled **COMPLIANCE WITH FEDERAL**
54 **LAW** is retitled **COMPLIANCE WITH FEDERAL RECLAMATION LAWS** and is
55 amended and replaced by the following Article 10 in its entirety:

56 **COMPLIANCE WITH FEDERAL RECLAMATION LAWS**

57 10. The parties agree that the delivery of irrigation water or use of Federal facilities
58 pursuant to this Contract Amendment is subject to Federal reclamation law, including but not
59 limited to the Reclamation Reform Act of 1982 (43 U.S.C. 390aa, *et seq.*), as amended and
60 supplemented, and the rules and regulations promulgated by the Secretary of the Interior under
61 Federal reclamation law.

62 **DELETION OF ARTICLE 12 AND REPLACEMENT OF ARTICLE 11 WITH NEW**
63 **LANGUAGE**

64 3. Article 12 in the Existing Contract titled **QUALITY OF WATER** is deleted
65 in its entirety and Article 11 titled **WATER AND AIR POLLUTION CONTROL** is retitled

66 PROTECTION OF WATER AND AIR QUALITY and is amended and replaced by the
67 following Article 11 in its entirety:

68 PROTECTION OF WATER AND AIR QUALITY

69 11. (a) Omitted

70 (b) The United States will care for, operate and maintain reserved works in a
71 manner that preserves the quality of the water at the highest feasible level as determined by the
72 Contracting Officer. The United States does not warrant the quality of the water delivered to the
73 Contractor and is under no obligation to furnish or construct water treatment facilities to
74 maintain or improve the quality of water delivered to the Contractor.

75 (c) The Contractor shall comply with all applicable water and air pollution
76 laws and regulations of the United States and the State of California; and shall obtain all required
77 permits or licenses from the appropriate Federal, State, or local authorities necessary for the
78 delivery of water by the Contractor; and shall be responsible for compliance with all Federal,
79 State, and local water quality standards applicable to surface and subsurface drainage and/or
80 discharges generated through the use of Federal or Contractor facilities or project water provided
81 by the Contractor within the Contractor's Project Water Service Area.

82 (d) This article will not affect or alter any legal obligations of the Secretary to
83 provide drainage or other discharge services.

84 REPLACEMENT OF ARTICLE 14 WITH NEW LANGUAGE

85 4. Article 14 in the Existing Contract titled CHARGES FOR DELINQUENT

86 PAYMENTS, is amended and replaced in its entirety with the following new Article 14:

87 14. (a) The Contractor shall be subject to interest, administrative, and penalty
88 charges on delinquent payments. If a payment is not received by the due date, the Contractor
89 shall pay an interest charge on the delinquent payment for each day the payment is delinquent
90 beyond the due date. If a payment becomes 60 days delinquent, the Contractor shall pay, in
91 addition to the interest charge, an administrative charge to cover additional costs of billing and
92 processing the delinquent payment. If a payment is delinquent 90 days or more, the Contractor
93 shall pay, in addition to the interest and administrative charges, a penalty charge for each day the
94 payment is delinquent beyond the due date, based on the remaining balance of the payment due
95 at the rate of 6 percent per year. The Contractor shall also pay any fees incurred for debt
96 collection services associated with a delinquent payment.

97 (b) The interest rate charged shall be the greater of either the rate prescribed
98 quarterly in the Federal Register by the Department of the Treasury for application to overdue
99 payments, or the interest rate of 0.5 percent per month. The interest rate charged will be

100 determined as of the due date and remain fixed for the duration of the delinquent period.

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

104 **REPLACEMENT OF ARTICLE 15 WITH NEW LANGUAGE**

105 5. Article 15 in the Existing Contract titled **EQUAL OPPORTUNITY** is retitled
106 **EQUAL EMPLOYMENT OPPORTUNITY** is amended and replaced by the following

107 Article 15 in its entirety:

108 **EQUAL EMPLOYMENT OPPORTUNITY**

109 15. During the performance of this contract, the Contractor agrees as follows:

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

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

124 (c) The Contractor will not discharge or in any other manner discriminate
125 against any employee or applicant for employment because such employee or applicant has
126 inquired about, discussed, or disclosed the compensation of the employee or applicant or another
127 employee or applicant. This provision shall not apply to instances in which an employee who
128 has access to the compensation information of other employees or applicants as part of such
129 employee's essential job functions discloses the compensation of such other employees or
130 applicants to individuals who do not otherwise have access to such information, unless such
131 disclosure is in response to a formal complaint or charge, in furtherance of an investigation,
132 proceeding, hearing, or action, including an investigation conducted by the employer, or is
133 consistent with the Contractor's legal duty to furnish information.

134 (d) The Contractor will send to each labor union or representative of workers
135 with which it has a collective bargaining agreement or other contract or understanding, a notice,
136 to be provided by the Contracting Officer, advising the labor union or workers' representative of
137 the Contractor's commitments under Section 202 of Executive Order 11246 of
138 September 24, 1965, and shall post copies of the notice in conspicuous places available to
139 employees and applicants for employment.

140 (e) The Contractor will comply with all provisions of Executive Order No.
141 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary
142 of Labor.

143 (f) The Contractor will furnish all information and reports required by
144 Executive Order 11246 of September 24, 1965, and by the rules, regulations, and orders of the
145 Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and
146 accounts by the Contracting Agency and the Secretary of Labor for purposes of investigation to
147 ascertain compliance with such rules, regulations, and orders.

148 (g) In the event of the Contractor's noncompliance with the nondiscrimination
149 clauses of this contract or with any of such rules, regulations, or orders, this contract may be
150 canceled, terminated or suspended in whole or in part and the Contractor may be declared
151 ineligible for further Government contracts in accordance with procedures authorized in
152 Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and
153 remedies invoked as provided in Executive Order 11246 of September 24, 1965 or by rule,
154 regulation, or order of the Secretary of Labor, or as otherwise provided by law.

155 (h) The Contractor will include the provisions of paragraphs (a) through (g) in
156 every subcontract or purchase order unless exempted by the rules, regulations, or orders of the
157 Secretary of Labor issued pursuant to Section 204 of Executive Order 11246 of September 24,
158 1965, so that such provisions will be binding upon each subcontractor or vendor. The Contractor
159 will take such action with respect to any subcontract or purchase order as may be directed by the
160 Secretary of Labor as a means of enforcing such provisions, including sanctions for
161 noncompliance: *Provided, however, that* in the event the Contractor becomes involved in, or is
162 threatened with, litigation with a subcontractor or vendor as a result of such direction, the
163 Contractor may request the United States to enter into such litigation to protect the interests of
164 the United States."

165 **REPLACEMENT OF ARTICLE 16 WITH NEW LANGUAGE**

166 6. Article 16 in the Existing Contract titled **GENERAL OBLIGATION-**
167 **BENEFITS CONDITIONED UPON PAYMENT** is amended and replaced by the following
168 Article 16 in its entirety:

169 **GENERAL OBLIGATION - BENEFITS CONDITIONED UPON PAYMENT**

170 16. (a) The obligation of the Contractor to pay the United States as provided in
171 this Contract Amendment is a general obligation of the Contractor notwithstanding the manner in
172 which the obligation may be distributed among the Contractor's water users and notwithstanding
173 the default of individual water users in their obligation to the Contractor.

174 (b) The payment of charges becoming due pursuant to this Contract
175 Amendment is a condition precedent to receiving benefits under this Contract Amendment. The
176 United States shall not make water available to the Contractor through Project facilities during
177 any period in which the Contractor is in arrears in the advance payment of water rates due the
178 United States. The Contractor shall not deliver water under the terms and conditions of this
179 Contract Amendment for lands or parties that are in arrears in the advance payment of water
180 rates as levied or established by the Contractor.

181 **REPLACEMENT OF ARTICLE 17 WITH NEW LANGUAGE**

182 7. Article 17 in the Existing Contract titled **COMPLIANCE WITH CIVIL**
183 **RIGHTS LAWS AND REGULATIONS** is amended and replaced by the following Article
184 **17 in its entirety:**

185 **COMPLIANCE WITH CIVIL RIGHTS LAWS AND REGULATIONS**

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

193 (b) These statutes prohibit any person in the United States from being
194 excluded from participation in, being denied the benefits of, or being otherwise subjected to
195 discrimination under any program or activity receiving financial assistance from the Bureau of
196 Reclamation on the grounds of race, color, national origin, disability, or age. By executing this
197 Contract Amendment, the Contractor agrees to immediately take any measures necessary to
198 implement this obligation, including permitting officials of the United States to inspect premises,
199 programs, and documents.

200 (c) The Contractor makes this Contract Amendment in consideration of and
201 for the purpose of obtaining any and all Federal grants, loans, contracts, property discounts, or
202 other Federal financial assistance extended after the date hereof to the Contractor by the Bureau
203 of Reclamation, including installment payments after such date on account of arrangements for
204 Federal financial assistance which were approved before such date. The Contractor recognizes
205 and agrees that such Federal assistance will be extended in reliance on the representations and
206 agreements made in this article and that the United States reserves the right to seek judicial

207 enforcement thereof.

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

210 **REPLACEMENT OF ARTICLE 18 WITH NEW LANGUAGE**

211 8. Article 18 in the Existing Contract titled **PRIVACY ACT COMPLIANCE** is
212 amended and replaced by the following Article 18 in its entirety:

213 **PRIVACY ACT COMPLIANCE**

214 18. (a) The Contractor shall comply with the Privacy Act of 1974 (Privacy Act)
215 5 U.S.C. § 552a) and the Department of the Interior rules and regulations under the Privacy Act
216 (43 C.F.R. § 2.45, et seq.) in maintaining landholder certification and reporting records required
217 to be submitted to the Contractor for compliance with sections 206, 224(c), and 228 of the
218 Reclamation Reform Act of 1982 (43 U.S.C. §§ 390ff, 390ww, and 390zz), and pursuant to 43
219 C.F.R. § 426.18.

220 (b) With respect to the application and administration of the criminal penalty
221 provisions of the Privacy Act (5 U.S.C. § 552a(i)), the Contractor and the Contractor's
222 employees who are responsible for maintaining the certification and reporting records referenced
223 in paragraph (a) above are considered to be employees of the Department of the Interior. See
224 5 U.S.C. § 552a(m).

225 (c) The Contracting Officer or a designated representative shall provide the
226 Contractor with current copies of the Department of the Interior Privacy Act regulations and the
227 Bureau of Reclamation Federal Register Privacy Act System of Records Notice (Interior/WBR-
228 31, Acreage Limitation) which govern the maintenance, safeguarding, and disclosure of
229 information contained in the landholders' certification and reporting records.

230 (d) The Contracting Officer shall designate a full-time employee of the
231 Bureau of Reclamation to be the System Manager responsible for making decisions on denials
232 pursuant to 43 C.F.R. §§ 2.61 and 2.64 and amendment requests pursuant to 43 C.F.R. § 2.72.
233 The Contractor is authorized to grant requests by individuals for access to their own records.

234 (e) The Contractor shall forward promptly to the System Manager each
235 proposed denial of access under 43 C.F.R. § 2.64 and each request for amendment of records
236 filed under 43 C.F.R. § 2.71; notify the requester accordingly of such referral; and provide the
237 System Manager with information and records necessary to prepare an appropriate response to
238 the requester. These requirements do not apply to individuals seeking access to their own
239 certification and reporting forms filed with the Contractor pursuant to 43 C.F.R. § 426.18 unless
240 the requester elects to cite the Privacy Act as authority for the request.

241 **REPLACEMENT OF SUBDIVISION (A) OF ARTICLE 20 WITH NEW LANGUAGE**

242 9. Subdivision (a) of Article 20 in the Existing Contract titled WATER

243 CONSERVATION is amended and replaced by the following subdivision (a) in its entirety:

244 20. (a) Prior to the delivery of water provided from or conveyed through federally
245 constructed or federally financed facilities pursuant to this contract, the Contractor shall develop
246 a water conservation plan, as required by subsection 210(b) of the Reclamation Reform Act of
247 1982 and 43 C.F.R. 427.1 (Water Conservation Rules and Regulations).

248 **REPLACEMENT OF ARTICLE 23 WITH NEW LANGUAGE**

249 11. Article 23 in the Existing Contract Titled BOOKS, RECORDS, AND

250 REPORTS is amended and replaced by the following Article 23 in its entirety:

251 **BOOKS, RECORDS, AND REPORTS**

252 23. (a) The Contractor shall establish and maintain accounts and other books and
253 records pertaining to administration of the terms and conditions of this Contract Amendment,
254 including the Contractor's financial transactions; water supply data; project operation,
255 maintenance, and replacement logs; project land and rights-of-way use agreements; the water
256 users' land-use (crop census), land-ownership, land-leasing, and water-use data; and other
257 matters that the Contracting Officer may require. Reports shall be furnished to the Contracting
258 Officer in such form and on such date or dates as the Contracting Officer may require. Subject
259 to applicable Federal laws and regulations, each party to this Contract Amendment shall have the
260 right during office hours to examine and make copies of the other party's books and records
261 relating to matters covered by this Contract Amendment.

262 (b) Nothing in this Article 23 shall be construed to limit or constrain the
263 ability of the Bureau of Reclamation to conduct contract compliance reviews of this Contract in
264 accordance with Reclamation Manual Directives and Standards PEC 05-8, last revised October
265 11, 2019, as may be further revised, amended, modified, or superseded.

266 **REPLACEMENT OF ARTICLE 24 WITH NEW LANGUAGE**

267 12. Article 24 in the Existing Contract titled ASSIGNMENT LIMITED –

268 SUCCESSORS AND ASSIGNS OBLIGATED is amended and replaced by the following

269 Article 24 in its entirety:

270 ASSIGNMENT LIMITED – SUCCESSORS AND ASSIGNS OBLIGATED

271 24. The provisions of this contract shall apply to and bind the successors and assigns
272 of the parties hereto, but no assignment or transfer of this contract or any right or interest therein
273 by either party shall be valid until approved in writing by the other party.

274 REPLACEMENT OF ARTICLE 26 WITH NEW LANGUAGE

275 14. Article 26 in the Existing Contract titled CHANGES IN THE
276 CONTRACTOR'S AREA OF SERVICE is retitled CHANGES IN THE CONTRACTOR'S
277 ORGANIZATION OR SERVICE AREA and is amended and replaced by the following
278 Article 26 in its entirety:

279 CHANGES IN THE CONTRACTOR'S ORGANIZATION OR SERVICE AREA

280 26. While this Contract Amendment is in effect, no change may be made in the
281 Contractor's service area or organization, by inclusion or exclusion of lands or by any other
282 changes which may affect the respective rights, obligations, privileges, and duties of either the
283 United States or the Contractor under this Contract Amendment including, but not limited to,
284 dissolution, consolidation, or merger, except upon the Contracting Officer's written consent.

285 DELETION OF ARTICLE 28

286 15. Article 28 in the Existing Contract titled TRANSITION FROM PHASE I
287 CONTRACT, is deleted in its entirety.

288 REPLACEMENT OF ARTICLE 29 WITH NEW LANGUAGE

289 16. Article 29 in the Existing Contract titled NOTICES is replaced by the
290 following Article 29 in its entirety:

291 NOTICES

292 29. Any notice, demand, or request authorized or required by this Contract
293 Amendment shall be deemed to have been given, on behalf of the Contractor, when mailed,
294 postage prepaid, or delivered to the Area Manager, South-Central California Area Office, 1243
295 "N" Street, Fresno, California 93721, and on behalf of the United States, when mailed, postage
296 prepaid, or delivered to the Board of Directors as listed in Exhibit D. The designation of the
297 addressee or the address may be changed by notice given in the same manner as provided in this
298 article for other notices.

299 ARTICLES 12 AND 33 THROUGH 36 ARE ADDED TO THE EXISTING CONTRACT

300 17. Articles 12 and 33 through 36 are added to the Existing Contract:

301 CONSTRAINTS ON AVAILABILITY OF WATER

302 12. (a) In its operation of the Project, the Contracting Officer will use all
303 reasonable means to guard against a condition of shortage in the quantity of water to be made
304 available to the Contractor pursuant to this contract. In the event the Contracting Officer
305 determines that a condition of shortage appears probable, the Contracting Officer will notify the
306 Contractor of said determination as soon as practicable.

307 (b) If there is a condition of shortage because of inaccurate runoff forecasting
308 or other similar operational errors affecting the Project, drought, other physical causes beyond
309 the control of the Contracting Officer; or actions taken by the Contracting Officer to meet current
310 and future legal obligations, then, except as provided in Article 32 of this Contract Amendment,
311 no liability shall accrue against the United States or any of its officers, agents, or employees for
312 any damage, direct or indirect, arising therefrom.

313 CONFIRMATION OF CONTRACT

314 33. Promptly after the execution of this Contract Amendment, the Contractor will
315 provide evidence to the Contracting Officer that, pursuant to the laws of the State of California,
316 the Contractor is a legally constituted entity and the Contract Amendment is lawful, valid, and
317 binding on the Contractor. This Contract Amendment will not be binding on the United States
318 until the Contractor provides evidence to the Contracting Officer's satisfaction. In addition to
319 other forms of evidence to meet the requirements of this Article, the Contractor may provide or
320 the Contracting Officer may require a certified copy of a final decree of a court of competent
321 jurisdiction in the State of California, confirming the proceedings on the part of the Contractor
322 for the authorization of the execution of this Contract Amendment.

323 MEDIUM FOR TRANSMITTING PAYMENTS

324 34. (a) All payments from the Contractor to the United States under this contract
325 shall be by the medium requested by the United States on or before the date payment is due. The
326 required method of payment may include checks, wire transfers, or other types of payment
327 specified by the United States.

328 (b) Upon execution of the contract, the Contractor shall furnish the
329 Contracting Officer with the Contractor's taxpayer's identification number (TIN). The purpose
330 for requiring the Contractor's TIN is for collecting and reporting any delinquent amounts arising
331 out of the Contractor's relationship with the United States.

332

CONTRACT DRAFTING CONSIDERATIONS

333

334

335

336

337

35. This contract has been, negotiated and reviewed by the parties hereto, each of whom is sophisticated in the matters to which this contract pertains. The double spaced Articles of this contract have been drafted, negotiated, and reviewed by the parties, and no one party shall be considered to have drafted the stated articles. Single-spaced Articles are standard Articles pursuant to Bureau of Reclamation policy.

338

PRESERVATION OF EXISTING CONTRACT

339

340

341

342

36. Except as expressly modified by the provisions of this Contract Amendment, the Existing Contract, along with all amendments to the Existing Contract, shall remain in full force and effect. Exhibits A through D may be modified without further amendment to this Contract Amendment.

343 IN WITNESS WHEREOF, the parties hereto have executed this Contract
344 Amendment to Contract No. I75r-1802RA on the day and year first above written.

345 THE UNITED STATES OF AMERICA

346 By: _____
347 Regional Director
348 Interior Region 10: California-Great Basin
349 Bureau of Reclamation

350 SANTA BARBARA COUNTY WATER AGENCY

351 By: _____
352 Public Works Director

353 APPROVED AS TO FORM: APPROVED AS TO FORM:
354 By: _____ By: _____
355 Risk Management Deputy

356 APPROVED AS TO ACCOUNTING FORM:
357 By: _____
358 Deputy

EXHIBIT D

Contractor:

Santa Barbara County Water Agency
130 E. Victoria St., Suite 200
Santa Barbara, California 93101
Phone: (805) 568-3440
Facsimile number: (805) 568-3434

With a copy to:

Cachuma Operation and Maintenance Board
3301 Laurel Canyon Road
Santa Barbara, California 93105
Phone: (805) 687-4011
Facsimile number: (805) 569-5825

Carpinteria Valley Water District
1301 Santa Ynez Avenue
Carpinteria, California 93013
Phone: (805) 684-2816
Facsimile number: (805) 755-2351

Goleta Water District
4699 Hollister Avenue
Goleta, California 93110-0781
Phone: (805) 964-6761
Facsimile number: (805) 964-7002

Montecito Water District
583 San Ysidro Road
Montecito, California 93150
Phone: (805) 969-2271
Facsimile number: (805) 969-7261

City of Santa Barbara
Public Works – Water Resources Manager
PO Box 1990
Santa Barbara, California 93102-1190
Phone: (805) 963-0611
Facsimile number: (805) 564-5467

Santa Ynez River Water Conservation District
Improvement District No. 1
PO Box 157
Santa Ynez, California 93460
Facsimile number: (805) 688-3078

Paeter Garcia

From: Crease, Fray <fcrease@cosbpw.net>
Sent: Tuesday, July 14, 2020 2:08 PM
To: Paeter Garcia; Ryan Drake; 'Catherine Taylor'; Nicholas Turner (nturner@montecitowater.com); 'Robert McDonald'
Cc: Fayram, Tom; Hartley, Johannah
Subject: Draft MU Contract Amendment
Attachments: Example Cachuma Member Unit Agreement 1st Amendment.doc

MU Managers,

Please see attached example of the amendment to the Cachuma Project Member Unit contracts; making the duration coterminous with the amended Master Contract and adding an Equal Employment Opportunity paragraph as prescribed by USBR during the negotiation session yesterday. Otherwise, the terms and conditions of the current MU contracts remain the same.

Please provide me with the appropriate signature block for your agency.

Thank you,



Fray A. Crease
Santa Barbara County Water Agency Manager
130 E. Victoria St., Suite 200
Santa Barbara, CA 93101
(805) 568-3542
Water Agency Website: WaterWiseSB.org

**FIRST AMENDMENT TO CACHUMA PROJECT MEMBER UNIT CONTRACT
CITY OF SANTA BARBARA**

Cachuma Project Member Unit Contract No. 18,223 (hereinafter Agreement) between the Santa Barbara County Water Agency, a political subdivision of the State of California established by Chapter 1501 of the 1945 Statutes of California, as amended (hereafter Agency), and the City of Santa Barbara, a political subdivision of the State of California and a charter city (hereafter Member Unit), is hereby amended as follows:

RECITALS

WHEREAS, the Agency and the United States Bureau of Reclamation (USBR) entered into an Agreement for Providing Water Service from the Cachuma Project (Agreement No. 175r-1802R) in 1996 which initially was to remain in effect until September 30, 2020;

WHEREAS, based on Agreement No. 175r-1802R, the Agency and the Member Unit entered into the Cachuma Project Member Unit Contract (Agreement) to provide for the continued delivery of Cachuma Project water to the Cachuma Member Units on the terms and conditions of Agreement No. 175r-1802R;

WHEREAS, on May 2, 2017, the Agency timely requested renewal of Agreement No. 175r-1802R, however, that renewal has not yet been completed and USBR has proposed an interim agreement extending the term of Agreement No. 175r-1802R while negotiations for contract renewal are pending; and

WHEREAS, this First Amendment to the Agreement seeks to extend the Agreement while contract renewal negotiations are pending and until a new contract between USBR and the Agency for the Cachuma Project has been reached.

NOW, THEREFORE, it is hereby mutually agreed by the parties as follows:

A. Paragraph 1 of the Agreement is amended to read as follows:

1. This Contract shall be effective as of May 15, 1995 ("effective date") and shall remain in effect for a period coterminous with the Master Contract (No. 175r-1802R), as may be extended or amended. This contract shall continue in effect the rights, obligations and interest of the Cachuma Member Units in the Cachuma Project.

B. Paragraph 12 of the Agreement is amended to label the existing paragraph (a) and to add subparagraph (b), to read as follows:

- 12.(b) The Member Unit agrees to comply with the terms and conditions of Agreement No. 175r-1802R and any amendment(s) thereto.

C. Paragraph 19, Equal Employment Opportunity, is added to the Agreement as follows:

19. During the performance of this contract, the Member Unit agrees as follows:

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

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

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

(d) The Member Unit will send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the Contracting Officer, advising the labor union or workers' representative of the Member Unit's commitments under Section 202 of Executive Order 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(e) The Member Unit will comply with all provisions of Executive Order No. 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

(f) The Member Unit will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the Contracting Agency and the Secretary of Labor for

purposes of investigation to ascertain compliance with such rules, regulations, and orders.

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

D. In all other respects, the Agreement remains unchanged and in full effect.

E. By signing this First Amendment to the Agreement the parties warrant and represent that they have the power and authority to bind their party and that all formal requirements necessary or required by any state and/or federal law in order to enter into this First Amendment to the Agreement have been fully complied with.

IN WITNESS WHEREOF, the parties have executed this First Amendment to the Agreement to be effective on the date executed by Agency.

ATTEST:
City Clerk

CITY OF SANTA BARBARA:

By: _____
Deputy Clerk

By: _____
City Administrator

Date: _____

SANTA BARBARA COUNTY WATER AGENCY:

APPROVED AS TO FORM:
Ray Aromatorio, ARM, AIC

By: _____
Scott D. McGolpin, Public Works Director

By: _____
Risk Management

Date: _____

APPROVED AS TO FORM:
Michael C. Ghizzoni
County Counsel

APPROVED AS TO ACCOUNTING FORM:
Betsy M. Schaffer, CPA
Auditor-Controller

By: _____
Deputy

By: _____
Deputy

COUNTY OF SANTA BARBARA

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File #: 20-00659 **Version:** 1
Type: Administrative Item **Status:** Agenda Ready
File created: 8/13/2020 **In control:** BOARD OF SUPERVISORS
On agenda: 8/25/2020 **Final action:** 8/25/2020

Title: Consider recommendations regarding Amendments to the Cachuma Project Master Contract and Member Unit Contracts, as follows: (4/5 Vote Required) Acting as the Board of Directors, Water Agency: a) Adopt a Resolution authorizing the Public Works Director to execute an Amendment to the Cachuma Project Master Contract with the U.S. Bureau of Reclamation, extending the terms and conditions of the current contract for no more than three years, upon approval of County Counsel, Auditor Controller, and Risk Manager, or their designated representatives; b) Approve and authorize the Public Works Director to execute First Amendments to Cachuma Project Member Unit Agreements with the Carpinteria Valley Water District, Montecito Water District, City of Santa Barbara, Goleta Water District, and Santa Ynez River Water Conservation District, Improvement District No. 1 (Member Units), extending the terms and conditions of the current contracts coterminous with the amended Master Contract and consist..

Sponsors: PUBLIC WORKS, BOARD OF DIRECTORS, WATER AGENCY

Attachments: 1. Board Letter, 2. Attachment A - Resolution, 3. Attachment B - Cachuma Contract with USBR (Copy) (1996), 4. Attachment C - Example Cachuma Member Unit Agreement 1st Amendment (SB), 5. Attachment D - City of Santa Barbara MU Contract (Example) (1996), 6. Attachment E - Amend Contract with USBR Draft July 20 2020, 7. Public Comment - Law Office of Kimball-Griffith, 8. Minute Order

[History \(1\)](#)
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Date	Action By	Action	Result	Action Details	Meeting Details	Video
8/25/2020	BOARD OF SUPERVISORS	Acted on as follows:	Pass	Action details	Meeting details	Video

A-28) PUBLIC WORKS, BOARD OF DIRECTORS, WATER AGENCY20-00659

Consider recommendations regarding Amendments to the Cachuma Project Master Contract and Member Unit Contracts, as follows: (4/5 Vote Required)

Acting as the Board of Directors, Water Agency:

- a) Adopt a Resolution authorizing the Public Works Director to execute an Amendment to the Cachuma Project Master Contract with the U.S. Bureau of Reclamation, extending the terms and conditions of the current contract for no more than three years, upon approval of County Counsel, Auditor Controller, and Risk Manager, or their designated representatives;
- b) Approve and authorize the Public Works Director to execute First Amendments to Cachuma Project Member Unit Agreements with the Carpinteria Valley Water District, Montecito Water District, City of Santa Barbara, Goleta Water District, and Santa Ynez River Water Conservation District, Improvement District No. 1 (Member Units), extending the terms and conditions of the current contracts coterminous with the amended Master Contract and consistent with the Cachuma Project Master Contract; and
- c) Determine that the proposed actions are not projects pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(2), continuing organization or administrative activities, Section 15378(b)(5), organization or administrative activities that will not result in a direct or indirect physical change in the environment, and further, is not subject to and is exempt from the requirements of CEQA under Guidelines Section 15061(b)(3), no possibility that the activity may have a significant effect on the environment, Section 15261(a), project approved prior to November 23, 1970, and Section 15301, operation of existing facilities.

A-29) PUBLIC WORKS, BOARD OF DIRECTORS, WATER AGENCY20-00664

Consider recommendations regarding the Santa Barbara County 2020 Groundwater Basins Summary Report, as follows:

Acting as the Board of Directors, Water Agency:

- a) Receive and file the Santa Barbara County 2020 Groundwater Basins Summary Report; and
- b) Determine that the Santa Barbara County 2020 Groundwater Basins Summary Report is not subject to California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15378(b) (5), as it is an administrative action that will not result in direct or indirect changes to the environment.



County of Santa Barbara
BOARD OF SUPERVISORS

Minute Order

August 25, 2020

Present: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

PUBLIC WORKS, BOARD OF DIRECTORS, WATER AGENCY

File Reference No. 20-00659

RE: Consider recommendations regarding Amendments to the Cachuma Project Master Contract and Member Unit Contracts, as follows: (4/5 Vote Required)

Acting as the Board of Directors, Water Agency:

- a) Adopt a Resolution authorizing the Public Works Director to execute an Amendment to the Cachuma Project Master Contract with the U.S. Bureau of Reclamation, extending the terms and conditions of the current contract for no more than three years, upon approval of County Counsel, Auditor Controller, and Risk Manager, or their designated representatives;
- b) Approve and authorize the Public Works Director to execute First Amendments to Cachuma Project Member Unit Agreements with the Carpinteria Valley Water District, Montecito Water District, City of Santa Barbara, Goleta Water District, and Santa Ynez River Water Conservation District, Improvement District No. 1 (Member Units), extending the terms and conditions of the current contracts coterminous with the amended Master Contract and consistent with the Cachuma Project Master Contract; and
- c) Determine that the proposed actions are not projects pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(2), continuing organization or administrative activities, Section 15378(b)(5), organization or administrative activities that will not result in a direct or indirect physical change in the environment, and further, is not subject to and is exempt from the requirements of CEQA under Guidelines Section 15061(b)(3), no possibility that the activity may have a significant effect on the environment, Section 15261(a), project approved prior to November 23, 1970, and Section 15301, operation of existing facilities.



County of Santa Barbara
BOARD OF SUPERVISORS

Minute Order

August 25, 2020

A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, that this matter be acted on as follows:

Acting as the Board of Directors, Water Agency:

a) Adopted;

RESOLUTION NO. 20-165

b) Approved and authorized; and

c) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

NOTICE AND AGENDA OF MEETING

Agenda Item X. B

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

WILL BE HELD
AT 6:30 P.M. THURSDAY, AUGUST 27, 2020

TELECONFERENCE MEETING ONLY – NO PHYSICAL MEETING LOCATION
PUBLIC PARTICIPATION DIAL-IN NUMBER: 1-267-866-0999
PASSCODE: 2420 99 1333

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

Important Notice Regarding Public Participation in Teleconference Meeting: Those who wish to provide public comment on an Agenda Item, or who otherwise are making a presentation to the GSA Committee, may participate in the meeting using the dial-in number and passcode above. Those wishing to submit written comments instead, please submit any and all comments and materials to the GSA via electronic mail at bbuelow@syrwcd.com. All submittals of written comments must be received by the GSA no later than 5:00 p.m. on Wednesday, August 26, 2020, and should indicate "August 27, 2020 GSA Meeting" in the subject line. To the extent practicable, public comments and materials received in advance pursuant to this timeframe will be read into the public record during the meeting. Public comments and materials not read into the record will become part of the post-meeting materials available to the public and posted on the SGMA website.

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

AGENDA

- I. Call to Order and Roll Call
- II. Introductions and review of SGMA in the Santa Ynez River Valley Basin
- III. Additions or Deletions to the Agenda
- IV. Public Comment (Any member of the public may address the Committee relating to any non-agenda matter within the Committee's jurisdiction. The total time for all public participation shall not exceed fifteen minutes and the time allotted for each individual shall not exceed five minutes. No action will be taken by the Committee at this meeting on any public item.)
- V. Review and consider approval of meeting minutes of May 21, 2020
- VI. Receive EMA GSA Financial update and consider approval of EMA Warrant List
- VII. Receive update and memo from EMA Citizen Advisory Group
- VIII. Receive Staff memo and overview on adjustments to Management Area Boundaries
- IX. Receive update/slide presentation from GSI on GSP activities in the EMA

- X. Direct Staff to proceed with contracting GSI Solutions to prepare a Groundwater Sustainability Plan on behalf of the EMA GSA, through the Santa Ynez River Water Conservation District
- XI. Receive update on Aerial Electro-Magnetic Survey of EMA
- XII. Receive and Discuss correspondence from Santa Ynez Water Group
- XIII. Next EMA GSA Meeting: Thursday, November 19, 2020, 6:30 PM. Notice will be sent on whether the meeting will be in person or held via conference call
- XIV. EMA GSA Committee requests and comments
- XV. Adjournment

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



August 2020
Issue No. 219 10 Pages

Monthly Briefing

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

Western Heat Wave Triggers Wildfires and Power Outages

Soaring temperatures, high winds and widespread lightning strikes have sparked wildfires that have burned more than 2 million acres, mostly in the western United States. The related, unusually high energy demands across the West – particularly in California – have also demonstrated hydropower’s integral role as a renewable, reliable, abundant, carbon-free source of electricity.

Wildfires

Fires are raging in 15 Western states, and red flag warnings have been issued from the Northwest into the Rockies. The Grizzly Creek fire in Glenwood Canyon (COLORADO) is threatening the Colorado River, and the Bush Fire just outside Mesa (ARIZONA) has already burned over 184,000 acres, with over 51,000 more acres blazing in Coronado National Forest. Nearly 28,000 personnel from the local, state and federal levels are responding to 157 separate incidents, 95 of which are large, uncontained fires, according to the U.S. Department of Agriculture (USDA).

“Right now, more than 6,000 firefighters from the USDA Forest Service are battling wildfires across the nation alongside our local, state and federal partners,” said USDA Under Secretary Jim Hubbard.

California Governor Gavin Newsome at a recent press conference reported that the Golden State so far this year has seen 7,002 fires that have burned a whopping 1.4 million acres. About 1.2 million of those acres had burned in just the previous week, the governor said.

Governor Newsome recently declared a

statewide emergency, which opened the door for federal aid. Shortly thereafter, the federal government also declared the California fires a federal disaster, which should help secure even more resources.

“Thank you to the President for your partnership and granting this urgent Major Disaster Declaration,” said Governor Newsome. “California is battling two of the largest fires in our history and has seen nearly 600 new fires in the



The Sheep Fire in Northern California forced the evacuation of multiple residences and ranches in Lassen County this month. At press time, the Sheep Fire has grown to nearly 30,000 acres and was only 3% contained.

Continued on Page 2

STORIES INSIDE.....

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Western Wildfires and Power Outages (Cont'd from Pg. 1)

last week caused by dry lightning strikes. These are unprecedented times and conditions, but California is strong – we will get through this.”

Federal Government Response

The federal government is taking additional steps to deal with wildfires and other natural disasters. USDA recently announced the availability of assistance for agricultural producers affected by the recent wildfires to help eligible farmers and ranchers reestablish their operations.

“USDA is ready to offer all the assistance we can to the affected farmers, ranchers and communities to help them recover,” said Bill Northey, USDA Under Secretary for Farm Production and Conservation. “As a farmer myself, I’m proud to be able to deliver on our most important mission to support them in their time of need.”

USDA has partnered with FEMA and other disaster-focused organizations and created the Disaster Resource Center. This central source of information utilizes a searchable knowledge base of disaster-related resources powered by agents with subject matter expertise. The Disaster Resource Center website and web tool now provide an easy access point to find USDA disaster information and assistance.

USDA also developed a disaster assistance discovery tool specifically targeted to rural and agricultural issues. The tool walks producers through five questions that generate personalized results identifying which USDA disaster assistance programs can help them recover from a natural disaster.

Impacts to the Power Grid

The enormous power demand - due in part to increased air conditioner use by millions of Californians earlier this month - contributed to an imbalance in the demand for electricity in the Golden State, leading to rolling blackouts at a time when triple digit temperatures and COVID-19 restrictions had citizens sheltering in place.

With an increased demand on the state's energy supply due to the steady intense heat, the California Independent System Operator earlier this month began implementing rotating power outages to prevent a total blackout of the state's power grid.

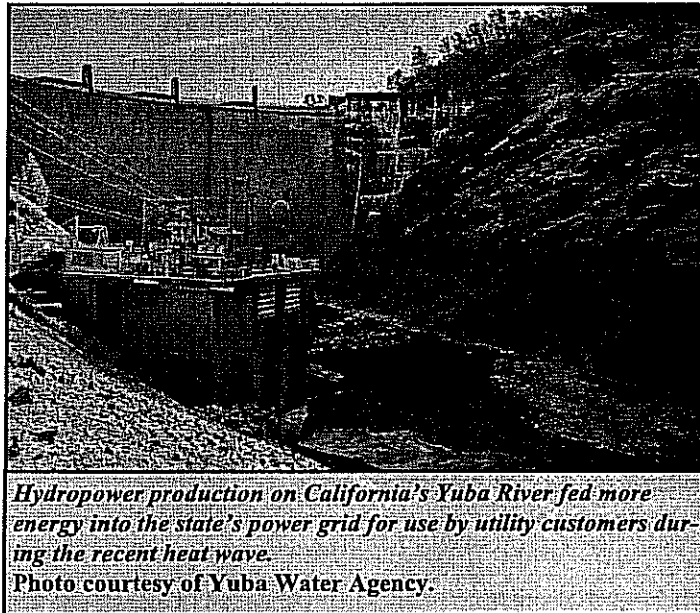
The *New York Times* highlighted the “stunning failure of planning, poor record keeping and sheer bad luck” of Califor-

nia’s electric grid managers to deal with power demand associated with the heat wave. The shortfall forced grid managers to order rolling blackouts at the same time wildfires were spreading across the state.

Governor Gavin Newsom has criticized state energy regulators and has ordered an investigation into what went wrong this month in California.

The Important Role of Hydropower in Emergencies

When the wind dies down and the sun sets, renewable energy sources like wind turbines and solar arrays can no longer be relied upon to generate power. The *Times* story downplayed this angle, and suggested that California’s reliance on renewable energy was not a factor because the state was facing such a huge shortfall in generating capacity. However, hydropower



Hydropower production on California's Yuba River fed more energy into the state's power grid for use by utility customers during the recent heat wave.
Photo courtesy of Yuba Water Agency.

dams throughout the West clearly demonstrated that they are a crucial part of the interconnected electrical grid in the western U.S. and provide the unique ability to respond almost immediately to system emergencies and changes in demand.

The Yuba Water Agency (YWA) - a member of the Family Farm Alliance - ramped up its hydroelectric generation along the Yuba River (CALIFORNIA) in response to the peaking demand, a move that fed more energy into the state's power grid for use by utility customers. This move also generated close to \$2 million in additional revenue for the agency.

“This is a proactive measure to meet the energy needs of the state,” said Willie Whittlesey, YWA general manager. “In times like this, it really shows the benefit of hydroelectric generation, not just by Yuba Water but throughout the state.”

The Bureau of Reclamation in the past month has also responded to the unusually high energy demands across the western United States. Reclamation’s dams are positioned to quickly generate power during sudden or prolonged utility shortfalls, making energy available to balance the load and prevent outages. These shortages include heatwaves and fluctuations in wind and solar output.

“Reclamation is the second largest hydropower producer in the Nation. Our multi-purpose dams are once again responding to the needs of the American people,” said Dr. Tim Petty, Assistant Secretary for Water and Science for the Department of the Interior.

Washington State Alliance Members Tour Klamath Project

Four members of the Family Farm Alliance board of directors and Advisory Committee earlier this month traveled to the Klamath Basin to tour the Klamath Reclamation Project and meet with local water users and the Alliance's Executive Director.

The Washington state contingent included:

- Mark Hansen, who raises irrigated forage crops (primarily timothy hay and alfalfa) and cattle in the Kittitas Valley near Ellensburg. He is currently a board member of the Kittitas Reclamation District, the Kittitas Farm Bureau and the Family Farm Alliance.
- Charles Lyall, a third-generation farmer in the lower Yakima Valley and Columbia Basin. His family farm, Lyall and Sons, grows cherries, apples, concord grapes. Charles is a Director on the Board of South Columbia Irrigation District and the Family Farm Alliance.
- Dave Solem, the general manager of South Columbia Basin Irrigation District in Pasco, Washington. Dave was previously the long-time general manager at Klamath Irrigation District, and he sits on the Family Farm Alliance Advisory Committee.
- Chris Voigt, the executive director of the Oregon Potato Commission and a long-time member of the Family Farm Alliance Advisory Committee.

The group spent half a day at the Klamath Water Users Association (KWUA) office in Klamath Falls, Oregon, to discuss Alliance matters with Alliance Executive Director Dan Keppen and engage in an informal "back and forth" discussions with KWUA staff and members about the status and pressing challenges in the Columbia / Yakima Basins and the Klamath Project.

The group shared lunch with the Klamath County Rotary Club, where Mr. Solem delivered a presentation on Columbia Basin water challenges and opportunities.

The Washington state group toured the California side of the Klamath Project later in the day, and completed their tour of the Oregon side of the Project the next morning.

In between tours, Mr. Keppen and his family hosted a dinner for the Klamath project hosts and their guests.

"It was great to see our Alliance leaders from Washington state join Klamath water users here in the Basin," said Mr. Keppen. "It's gratifying to see successful farming leaders come into our community and immediately recognize how important our farmers and ranchers are to our country."

The Washington state visitors quickly picked up on the challenges facing Klamath Project irrigators – competing water interests, Endangered Species Act difficulties, COVID-19 operating restrictions - and recognized the importance of supporting their cause.

"This is a special place," said Mr. Hansen. "What happens here now, will happen elsewhere in the West. We need to be in solidarity with this farming community."

Hydropower Helps Fill Gaps in Energy Grid (Cont'd from Page 2)

As temperatures hit records in California, power providers turned to sources in Nevada, Utah and Arizona to cope with the surge in demand across its electrical grid. Reclamation ramped up power production at Glen Canyon, Morrow Point, Hoover, Davis and Parker dams in response to California's electrical emergency and to help stabilize the Western electrical grid. Reclamation's Central Valley Project also maximized generation and reserves to make more energy available during peaks as well as shifting pumping operations to off-peak periods to reduce system load. Pacific Northwest federal dams generated enough electricity to meet load requirements for the Columbia River Basin and sell surplus power to California via the Bonneville Power Administration.

"The ability of hydroelectric dams to change output rapidly can offset fluctuations under extreme weather conditions and in wind generation or other intermittent resources, such as solar," said Reclamation's Hydropower Senior Advisor Max Spiker. "Without flexible backup generation, renewables could not match the energy needs of homes and businesses. In addition, hydropower can quickly compensate for other shortages in generation, such as California recently experienced and for which Reclamation provided emergency support and grid stability."

National Hydropower Day

August 24 was National Hydropower Day, which provided a recent opportunity for officials of Reclamation, the U.S. Department of Energy, and the U.S. Army Corps of Engineers to come together at the iconic Hoover Dam to advance hydropower. The officials signed a Memorandum of Understanding to work together to identify and collaborate on hydropower technology research, development, and demonstration projects.

"Reclamation continues to invest in strategies that improve and increase the stability and value of the hydropower for states, Tribes, and customers," said Reclamation Commissioner Brenda Burman. "This MOU strengthens our collective commitment to provide affordable, environmentally sustainable hydropower for America's energy needs today and, in the future."

The agencies will prepare an action plan that will consider the value of hydropower, workforce recruitment and training, water supply reliability, and optimizing environmental outcomes.

Reclamation delivers California water supply

Within a one week period earlier this month, the Bureau of Reclamation took four separate actions to improve water reliability for farms across the state and communities from the Bay Area to southern California. The actions follow up on two executive memoranda issued in the past two years by President Trump, providing specific instructions to improve water supplies.

"From the north to the south, Reclamation is delivering for California," said Reclamation Commissioner Brenda Burman. "With our partners, we are working hard and keeping our promises."

Shasta Dam Raise

Reclamation's first action was the release of a Draft Supplemental Environmental Impact Statement (EIS) for the raise of Shasta Dam by a modest 18.5 feet to the 600-foot dam. This raise would provide an additional 634,000 acre-feet of storage — enough water to support two million people a year.

Congress first directed Reclamation to look at the feasibility of raising Shasta Dam in the 1980s. More recently, recognizing the need for increased surface water storage and the need to find funding mechanisms that work in today's vastly over-stretched federal budget, Congress passed the Water Infrastructure Improvements for the Nation (WIIN) Act in 2016 with broad bipartisan support and has appropriated \$335 million for surface storage, providing \$20 million for preconstruction activities to raise Shasta Dam, including additional environmental analysis and engineering designs.

"California is in critical need of additional water storage," said Family Farm Alliance Executive Director Dan Keppen. "Over 40 percent of the nation's fruits, nuts and other table foods are grown in the Central Valley, much of that using water from the CVP."

Shasta Lake is the largest reservoir in the CVP and comprises 41 percent of the CVP's total storage.

B.F. Sisk Safety of Dams and Dam Raise Projects

Reclamation also transmitted the *Modification Report for the B.F. Sisk Safety of Dams project* - the largest dam safety project in Reclamation's history — to Congress. Modernizing this structure will ensure the dam can safely and reliably deliver benefits while continuing to serve the CVP and the State Water Project.

"Reclamation is paving the way to make this happen, along with our partner, the California Department of Water Resources," said Commissioner Burman.

Reclamation later in the week released a draft Supplemental EIS for a proposed raise of B.F. Sisk Dam for additional water supply in San Luis Reservoir. Reclamation is partnering with the San Luis & Delta-Mendota Water Authority - a member of the Family Farm Alliance - on this project, which would be implemented in conjunction with the dam safety modification project.

"Increasing water storage is a critical component of building water resilience in the face of a changing climate," said Federico Barajas, Executive Director of the Authority. "We are glad to partner with Reclamation to investigate expanding San Luis Reservoir—increasing water storage capacity and improving multi-year water management for the urban and rural communities, ecosystems, and agricultural production that are reliant on water stored in San Luis Reservoir."

Los Vaqueros Reservoir Expansion Project

Reclamation also presented Congress with the *Final Feasibility Report for the Los Vaqueros Reservoir Expansion Project*. Reclamation partnered with Contra Costa Water District (CCWD) in the Bay Area on the project to increase storage capacity in the reservoir by over two-thirds, from 160,000 acre-feet up to 275,000 acre-feet. This expansion project, providing additional storage capacity on an existing footprint, would provide increased water supply reliability and operational flexibility to the Bay Area, the CVP, and Central Valley wildlife refuges.

"As a potential beneficiary of the expanded storage and improved conveyance facilities, the Del Puerto Water District commends both Reclamation and CCWD's efforts to bring LVRE to this important milestone, said Del Puerto Water District General Manager Anthea Hansen, a Family Farm Alliance member. "I am truly impressed with the excellent work of the CCWD team and look forward to hopefully being a part of this much-needed project, not only for my region but for the health and prosperity of our wonderful state."

The Family Farm Alliance has long advocated for raising Lake Shasta and other new storage projects in California and elsewhere in the West. The Alliance in 2014 released a report prepared by Alliance staff, with input from agricultural irrigators, water managers, engineers and attorneys from throughout the Western U.S. — that poses reasoned responses to 20 questions that often pop up when policy makers discuss new Western water storage projects.

"Additional on-line storage to capture more water in wetter periods would improve water management flexibility, bolster the health of imperiled fish species, and better protect rural communities in future droughts," that report concluded.



Aerial view of Shasta Dam.
Photo source: U.S. Bureau of Reclamation

FWS Advances New Definition of “Habitat”

The U.S. Fish and Wildlife Service (FWS) and the National Marine Fisheries Service have proposed a regulatory definition of the term “habitat” that would be used in the context of critical habitat designations under the Endangered Species Act (ESA).

“Our proposed definition of habitat is intended to add more consistency to how the Service designates critical habitat under ESA,” said Rob Wallace, Assistant Secretary for Fish and Wildlife and Parks. “Improving how we apply this important tool will result in better conservation outcomes and provide more transparency for countless stakeholders such as private landowners, industry, and states.”

This is the first of two new expected proposed rules to modernize the ESA. The new definition will be used to guide the designation of “critical habitat” under the ESA that is necessary to protect the existence of a listed species. It identifies habitat as “the physical places that individuals of a species depend upon to carry out one or more life processes. Habitat includes areas with existing attributes that have the capacity to support individuals of the species.”

As an alternative, the two agencies also will solicit comments on a possible definition that “habitat includes areas where individuals of the species do not presently exist but have the capacity to support such individuals, only where the necessary attributes to support the species presently exist.”

The habitat regulatory definition proposed rule was sent to the Federal Register on July 31 and public comments will be accepted for 30 days.

“Critical habitat” is either “areas occupied by the species”, or non-occupied land “essential” for the conservation of the species. Under the proposed definition, unoccupied land is “essential” if it has the present capacity to support individuals of a species.

“If the capacity exists, the individuals can be said to “depend upon” the land,” said Jeff Eisenberg, a Washington, D.C. attorney and agriculture and conservation advocate. “Designations turning on lesser standards of interaction between species and designated areas open the door to impinging on private property with less certainty that the conservation purposes of the ESA will be achieved.”

The Family Farm Alliance was one of a multitude of interests – including members of Congress, state, local and tribal governments and the public – who provided comments and input that were considered by the Trump Administration in earlier ESA rulemaking efforts.

“We are still finalizing our habitat comment letter, but we will urge the FWS to finalize this rule using the “depend upon” standard for designating non-occupied critical habitat,” said Dan Keppen, Alliance Executive Director.

Army Corps Proposes New Nationwide CWA Permits

The U.S. Army Corps of Engineers (Corps) is proposing to reissue its existing Nationwide Permits (NWP) and associated general conditions and definitions, with some modifications, and to issue five new NWP.

“We are proposing these modifications in order to simplify and clarify the NWP, reduce burdens on the regulated public, and continue to comply with the statutory requirement that these NWP authorize only activities with no more than minimal individual and cumulative adverse environmental effects,” the Corps says in its proposal.

Under Section 404(e) of the Clean Water Act (CWA), the Corps can issue general permits to authorize activities that have only minimal individual and cumulative adverse environmental effects. General permits can be issued for a period of no more than five years.

A nationwide permit is a general permit that authorizes activities across the country unless a district or division commander revokes the nationwide permit in a state or other geographic region.

There are currently 50 nationwide permits, and they authorize a wide variety of activities such as mooring buoys, residential developments, utility lines, road crossings, mining activities, wetland and stream restoration activities, and commercial shellfish aquaculture activities.

“One of the proposed new NWP would authorize dis-

charges of dredged or fill material into jurisdictional waters for the construction, expansion, and maintenance of water reuse and reclamation facilities, which could potentially impact many Western water projects,” said Family Farm Alliance Executive Director Dan Keppen.

Alliance representatives in early September will be meeting with high-level Corps officials to gain further insight into this matter.

The Corps is requesting comment on all aspects of these proposed nationwide permits once published in the *Federal Register*.

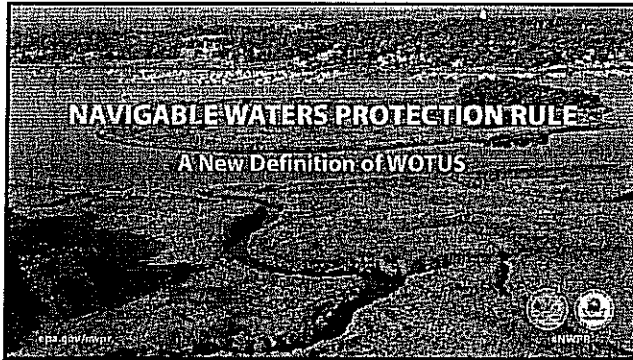
Meanwhile, Sen. John Cornyn (R-TEXAS) earlier this month introduced S. 4402 to stipulate that if the Corps and project proponents comply with all existing requirements and the Corps documents that each authorized activity would have no impact on listed species or designated habitat, then the Endangered Species Act section 7 requirements are met.

“This legislation builds on our broader work to reduce the regulatory burden,” said Sen. John Hoeven (R-NORTH DAKOTA), who co-sponsored the bill with Senator Cornyn. “Doing so helps foster investment in the infrastructure our nation needs while saving taxpayer dollars.”

While the legislation is driven by the litigation over the Keystone XL pipeline, the bill would apply to all NWP and industries.

EPA Moves Forward with WOTUS Guidance; Lawsuits Continue

Federal agency efforts to clarify implementation of the new Trump Administration “waters of the U.S.” (WOTUS) rule are moving forward while lawsuits in multiple courts seek to invalidate the new policy.



Litigation Update

The new Trump *Navigable Waters Protection Rule* is currently in effect in 49 states (Colorado excepted).

“The number of parties battling over the controversial rule is growing, and spans the political spectrum,” said Alliance Executive Director Dan Keppen.

Conservative private property interests, environmental groups, industry, and tribes have all joined the fray over the new WOTUS rule. However, due to a key ruling earlier this summer, there will likely be no nationwide preliminary stay on the Trump Rule while the litigation proceeds.

Earlier this month, another, much different challenge brought against the Trump administration’s new rule redefining was dismissed by a federal judge in Oregon. The Oregon Cattlemen’s Association had sued the Environmental Protection Agency (EPA) and the Army Corps of Engineers (Corps) in May for bringing non-navigable, small streams and wetlands under CWA protection in the new rule.

Judge Michael W. Mosman of the U.S. District Court for District of Oregon, ruling from the bench on a preliminary injunction sought against the water rule, dismissed the claims “due to lack of standing” without prejudice. That means the cattlemen group can file an amended claim at a later date. Judge Mosman also formally denied the cattlemen’s preliminary injunction on lack of standing. The EPA said the decision means the Navigable Waters Protection Rule will continue to be implemented in Oregon.

“With all these various parties and with court actions scattered across the country, uncertainty will abound, particularly in the near-term,” said Norm Semanko, General Counsel for the Family Farm Alliance. “The litigation will undoubtedly run beyond Election Day, so the future of this WOTUS rule likely depends on whether President Trump wins a second term.”

The Alliance spent considerable time as the Navigable Waters Protection Rule was being developed, and provided

multiple formal comment letters to the federal agencies over the past three years.

“Overall, we are supportive of the new rule,” said Mr. Keppen.

Implementation Memos

EPA and the Corps have also issued guidance documents to clarify their new rule. The agencies issued four implementation memos dealing with both general and specific provisions in the rule, including a memo on traditional navigable waters (TNW); a ditch exemption memo; an agricultural memo on prior converted cropland; and a more general memo on field coordination in implementing the rule.

EPA Mulls “Functional Equivalent” Test

Meanwhile, in response to the U.S. Supreme Court (SCOTUS) ruling in *County of Maui v. Hawaii Wildlife Fund*, EPA is contemplating crafting guidance on implementing the 6-3 ruling, which created a new “functional equivalent” test for determining, on a case-by-case basis, when CWA permits are needed for discharges of pollutants that travel through groundwater to surface waters.

The *Maui* case has been a closely watched dispute over whether pollutants that travel through groundwater on their way to federally regulated water bodies are subject to CWA permitting. The Family Farm Alliance was part of a group of eight national agriculture organizations that joined in an *amicus curiae* (“friend of the court”) brief that was transmitted to the U.S. Supreme Court in May 2019.

“The Court’s decision does not provide a clear answer for when discharges through groundwater require a permit,” said Andre Monette, a partner with the law firm of Best Best & Krieger. “It does, however, establish a national standard.”

The SCOTUS ruling outlines seven factors that may prove relevant in defining the instances where a CWA permit may be required for such pollutants, but which could pose a significant challenge for EPA in developing guidance and cause numerous additional lawsuits in the process. The seven factors include transit time, distance traveled, the nature of the material through which the pollutant travels, the extent to which the pollutant is diluted or chemically changed as it travels, the amount of pollutant entering the navigable waters relative to the amount of the pollutant that leaves the point source, the manner by or area in which the pollutant enters the navigable waters, and the degree to which the pollution at that point has maintained its specific identity.

David Fotouhi, who is EPA principal deputy general counsel, spoke about the WOTUS rule and the justices’ groundwater ruling in *Maui* during an American Bar Association webinar on the scope of CWA jurisdiction held earlier this month.

“We’re trying to get our arms around this decision” in order to provide a technical framing of how to look at the seven factors and possibly provide other factors, said Mr. Fotouhi. The goal is to have something that can be helpful to permittees and permit writers, he said.

Rep. Harder, Sen. Feinstein Introduce ASO Bill

California Democrat Representative Josh Harder and Senator Dianne Feinstein earlier this month introduced H.R. 8041 / S. 4530, the *Snow Water Supply Forecasting Program Authorization Act* to establish an airborne snow observatory (ASO) and measurement program within the Department of the Interior. Without accurate readings water managers could be forced to unnecessarily release water from reservoirs, resulting in millions of dollars in financial losses.

"Many of our rivers are born in the mountains – without accurate snowpack readings, we end up wasting our most precious resource – water – as well as millions of dollars in public funds," said Rep. Harder. "Creating a unified central program to get our water users the info they need is good for our farmers, good for conservation practices, and will end up saving a ton of money in the long-run."

A previous program run by NASA is no longer in operation, leaving water managers without the public information they need to make smart decisions about their water supplies. The bill would establish a program, with the Bureau of Reclamation as the lead coordinating federal agency, and would authorize a total of \$15 million for fiscal years 2022 to 2026.

"Smarter water management in California starts with more precise readings of our mountain snowpack," said Senator Feinstein. "Our bill will ensure the federal government con-

tinues investing in proven snowpack measurement methods like the airborne snowpack observatory. This will help improve water conservation, supply and delivery forecasts across the Western United States."

Conventional survey techniques can only achieve 50 to 90 percent accuracy when measuring snow runoff. The ASO technology developed by NASA's Jet Propulsion Laboratory can perform more precise measurements, increasing the accuracy to within 96 to 99 percent when paired with conventional techniques, providing an error rate as low as 1 to 3 percent. More precise measurements allow water managers to make better determinations on water allocations, using more water when it's available and conserving water when it's not.

The Family Farm Alliance is on record for supporting this legislation.

"ASO technology generates data that greatly improves our ability to estimate water supply and runoff in the Western United States," said Dan Keppen, Executive Director of the Family Farm Alliance. "We appreciate and want to thank Congressman Harder and Sen. Feinstein for their leadership on this issue, and we're hopeful that this legislation will allow for continued ASO application in California and the expansion of ASO technology application throughout the West."

NACSAA Webinar Looks at House Climate Committee Report

The Family Farm Alliance earlier this month was represented on a North American Climate Smart Agriculture Alliance (NACSAA) panel which took a closer look at the recently released majority staff report from the House Select Committee on the Climate Crisis (HSCCC). The NACSAA webinar provided an opportunity for industry experts to share perspectives on the report's recommendations regarding agriculture's role in taking on climate change.

Patrick O'Toole represented the Family Farm Alliance on the webinar, and was joined by fellow presenters Ray Gaesser (representing Solutions from the Land, or SfL), Jeremy Peters (National Association of Conservation Districts), Brian Jennings (American Coalition for Ethanol) Roger Wolf (Iowa Soybean Association), NACSAA Chairman Fred Yoder; and SfL President Ernie Shea.

"Through our involvement on the Steering Committee of NACSAA, we have been monitoring United National global climate talks over the past two years and bringing the voice of North American producers and land managers to the discussion table," said Pat O'Toole, president of the Family Farm Alliance. "NACSAA believes public policy should provide incentives for climate-friendly and common sense farm improvements."

On the webinar, Mr. O'Toole, a Wyoming rancher, said the relationship between water, biodiversity and farming in the West is a distinct, complex problem that appeared to be harder for the Select Committee to fully grasp, though he said there is promise.

"Climate change is badly exacerbating existing water shortages and unpredictable precipitation events, straining very old, failing Western water infrastructure and storage facilities," he said. "Any infrastructure legislation coming out of this Congress must address those water needs."

Mr. O'Toole also noted that effective water management requires watershed-level, public-private land management. Most habitat is on private lands, while federal forests help capture water in the system.

Mr. O'Toole and his wife Sharon recently wrote a guest opinion that was picked up by over a dozen Western newspapers, including the *Salt Lake Tribune*, titled "If you like birds and fish; hug a cow". The opinion confronts the current public narrative that has become accepted that if more people — especially Americans — stop eating meat, the planet will magically improve.

"This is a false narrative," the O'Tooles write. "In the Rocky Mountain West, as elsewhere, it is ranchers and farmers who hold the landscape together, who provide open space and beauty, and for wildlife, crucial habitat."

Pat O'Toole believes NACSAA members must help policymakers add more perspective to the Congressional report to better highlight and address the role agricultural lands can play in water management.

"We must also continue to push for necessary infrastructure upgrades and the need for ag water resources to increase production," Mr. O'Toole said.

Coronavirus Update: Ag Impacts and Federal Response Efforts

Over six months since the pandemic broke out in the U.S., the percentage of those infected with the coronavirus who die of COVID-19 is starting to decline in most states, due primarily to improved treatments, younger patients, and more widespread testing. The U.S. Surgeon General recently reported that COVID cases are down 19%, hospitalizations are down 11.3% and deaths are down 8.3%. While the coronavirus has caused a record-setting economic decline and tens millions of Americans have lost their jobs, the White House has been reporting on other encouraging developments that get little coverage in the mainstream media. Meanwhile, efforts to reach a compromise on another COVID-19 relief package have reached an impasse, and Congress has gone home for August recess.

Impacts on the Ground

Lost markets and lost off-farm income related to the pandemic have proven doubly difficult for many farmers and ranchers. Critical markets have disappeared during the Covid-19 pandemic, while farmers and ranchers are also facing challenges from weather damage, plunging crop prices, and trade disputes with China and Europe.

"The COVID economy has been a blood bath, really tough on the food side, especially with the restaurants, bars and schools shut down," said Steve Benson, who farms in California's Imperial Valley. "Growers are trying to figure out what to plant. It's getting harder for farmers to do their jobs."

Farmers struggling with the coronavirus pandemic's impacts to the economy say competition with Mexico threatens to end their businesses and are pressing the Trump administration to correct things. Officials representing the Agriculture and Commerce departments and the U.S. Trade Representative's office conducted two online hearings earlier this month, where more than 60 witnesses shared concerns about how foreign trade practices may be hurting seasonal and perishable produce growers. Producers said unfair competition with Mexico is the cause of their woes. Others cautioned against acting rashly against a critical trade partner and hazing reciprocal tariffs.

U.S. Senators Mike Crapo (R-IDAHO), Jim Risch (R-IDAHO) and Cory Gardner (R-COLORADO) are calling on Secretary Perdue and U.S. trade representative Robert Lighthizer to continue to advocate for increased access for United States fresh potato exports to Mexico during any trade negotiations with the Mexican government. Although U.S. potato producers can ship processed, dried and frozen potatoes to Mexico, their access to the fresh potato market has been severely restricted and exports are only permitted within

zone south of the U.S.-Mexico border that is less than 20 miles wide.

"This limitation greatly reduces opportunities for U.S. potato producers and further limits options for Mexican consumers," the senators wrote in their letter. "We encourage you to consider the use of all available mechanisms, including the new dispute resolution authority under the USMCA, to ensure Mexico honors its agreement to allow U.S. potatoes to reach Mexican consumers."



Idaho potato harvest. U.S. potato producers' access to the Mexican fresh potato market has been severely restricted.
Photo credit: David R. Frazier / Science Source

White House Response

The Trump Administration appears to be utilizing every resource at their disposal to reinforce the food supply chain through shutdowns caused by the coronavirus. At the beginning of the pandemic, President Trump held a meeting with grocery store executives to ensure shelves would continue to be fully stocked with fresh food and goods. The President's team quickly identified the food supply chain as Essential Critical Infrastructure, so that large grocery stores kept their doors open throughout the pandemic. In the midst of shutdowns, President Trump also used the Defense Production Act to ensure Americans had access to a stable supply of food, including beef, pork, and poultry. Facing shutdowns of critical infrastructure he signed an order and issued guidelines so that all food processing facilities could safely operate throughout the pandemic.

"From day one, my Administration has been determined to protect our Nation's incredible farmers," the President said.

President Trump earlier this month signed four executive actions aimed at providing economic relief in the wake of the coronavirus pandemic after negotiations between congressional leaders and the White House failed to produce new coronavirus relief legislation:

- On the payroll tax, he deferred payments of the employee portion of certain payroll taxes from September 1st through the end of 2020.
- On unemployment assistance, he directed that states will provide 25 percent cost sharing, amounting to a total of \$400 per week in benefits through the end of the year.
- He extended eviction protections by directing HUD to prevent evictions resulting from financial hardships caused by the virus.
- Finally, on student loans, he extended 0 percent interest and suspended loan payments through the end of the year.

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COVID Impacts and Response (Cont'd from Page 8)

Some Republicans were unhappy with the president's executive moves, and Democrats slammed the orders as weak and unconstitutional.

"We're disappointed that instead of putting in the work to solve Americans' problems, the President instead chose to stay on his luxury golf course to announce unworkable, weak and narrow policy announcements to slash the unemployment benefits that millions desperately need and endanger seniors' Social Security and Medicare," House Speaker Nancy Pelosi and Senate Minority Leader Chuck Schumer said in a statement.

President Trump continues to entrust the governors of each state to develop and enforce their own mask policies and other policies following guidance from the Federal Government and the CDC. The administration has exercised the authority under the Defense Production Act and related authorities 78 times, dispersing over \$3.5 billion to speed the development and manufacturing of essential materials. The federal government is collaborating with McKesson Corporation, a central distributor of future COVID-19 vaccines and related supplies needed to administer the vaccinations, to rapidly distribute a coronavirus vaccine as soon as one is approved.

CFAP Progress

The U.S. Department of Agriculture (USDA) has led the charge on most of the farm rescue efforts since March to fix the massive disruptions in the food supply chain and other impacts to the agriculture sector from the pandemic. The Coronavirus Food Assistance Program (CFAP) has now delivered nearly \$5.4 billion, out of the total \$16 billion available for farmers and ranchers hurt by supply chain disruptions. More than 220,000 farmers have received funding so far, with livestock producers having received about half of all the money dispersed. U.S. Secretary of Agriculture Sonny Perdue earlier this month announced that additional commodities are covered by CFAP in response to public comments and data. Additionally, USDA is extending the deadline to apply for the program to September 11th, and producers with approved applications will receive their final payment.

House Agriculture Chair Collin Peterson (D-Minn.) is questioning how USDA determined which crops and livestock were eligible for aid under the \$16 billion direct payment program. In a letter to Secretary Perdue, he asked for

greater transparency and suggested that the department's time window for measuring the impact on commodity prices didn't align with when many ag sectors suffered their most significant price losses.

"I trust USDA is working to assist producers this summer who have suffered significant market disruptions and been denied access to CFAP to date," Chairman Peterson wrote.

Meanwhile, USDA earlier this month published a rule in the Federal Register to modify the eligibility requirements for farm payments—a change directed by the 2018 farm bill.

"President Trump is standing with America's farmers and ranchers to ensure they get through this pandemic and continue to produce enough food and fiber to feed America and the world," said Secretary Perdue. "That is why he authorized this \$16 billion of direct support in the CFAP program....we are pleased to add additional commodities eligible to receive much needed assistance."

Farmers to Families Food Box Program



U.S. Secretary of Agriculture Sonny Perdue (second from left) and Presidential Advisor Ivanka Trump (right) deliver food to families in need through the Farmers to Families Food Box Program. Photo source: WIBW.

President Trump and Secretary Perdue earlier this month announced up to an additional \$1 billion for the Farmers to Families Food Box Program. The additional funding allows the program to continue critical support to farmers, distributors, and American families in need. The Farmers to Families Food Box program has provided over 75 million boxes to hungry Americans across the country.

"I'm so proud of the people of USDA for designing this program in record time. With this additional up to \$1 bil-

lion in funding, the Farmers to Families Food Box Program will continue to save countless jobs, support our farmers and move food to where it's needed most," said Secretary Perdue. "As the President said, when a food box is delivered to a family, we show them that in this country no one is forgotten."

In a *Fayetteville Observer* op-ed, Advisor to the President Ivanka Trump wrote, "As we work to achieve the Great American Comeback, The President and his Administration have stabilized our American food supply chain and protected our Nation's families, farmers and ranchers... We are proud of the

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NRCS Releases FY 2020 RCPP Program

Klamath River Watershed Selected as Critical Conservation Area

USDA recently released the FY 2020 Regional Conservation Partnership Program (RCPP), which promotes coordination of National Resource Conservation Service (NRCS) conservation activities with partners that offer value-added contributions to expand the collective ability to address on-farm, watershed, and regional natural resource concerns.

“The Family Farm Alliance, through its participation in the Western Agriculture and Conservation Alliance, was intensely engaged in past Farm Bill negotiations that led to the formation of this program,” said Alliance Executive Director Dan Keppen.

RCPP applicants must propose projects that generate conservation benefits by addressing specific natural resource objectives in a state/multistate area or address one or more priority resource concerns within one of the designated critical conservation areas (CCAs). Projects must be for land management, land rental, entity-held easements, U.S.-held easements, or public works/watersheds. Eligible applicants are agricultur-

al or silvicultural producer associations, states, local governments, Indian tribes, farmer cooperatives, water districts, institutions of higher education, conservation districts, and other qualified organizations.

The Klamath River watershed this year was designated as the newest CCA.

In FY 2020, up to \$360 million is available to support awards ranging from \$250,000 to \$10 million through this program. Of the total available funding amount, 50 percent is dedicated to projects occurring in designated critical conservation areas (CCAs), and 50 percent is dedicated to state/multistate projects.

Applicants must provide any combination of cash and in-kind contributions to leverage the award; however, it is the funding agency's goal that applicant contributions at least equal the agency's investment in the project. Applications are due November 4, 2020.

Farmers to Families Food Box Program (Cont'd from Page 9)

profound effect the Farmers to Families Food Box Program has had by keeping our farmers in business, empowering the food distribution industry workforce, and providing for those most in need.”

Distributors are now prioritizing resources to send boxes to Opportunity Zones and areas most in need by providing relief to America's most underserved communities. In addition, President Trump is including a letter that reinforces COVID-19 safety guidelines and how Americans can best protect themselves and their families, a move that is raising questions with some House Democrats. According to *Politico*, dozens of lawmakers are demanding to know who ordered the Trump letters and whether it's mandatory or voluntary for contractors and nonprofits to include them in their food boxes. The new controversy could further motivate key lawmakers who are pushing to tighten restrictions on how USDA spends any future farm relief funds.

“Using a federal relief program to distribute a self-promoting letter from the president to American families just three months before the presidential election is inappropriate and a violation of federal law,” Democrats wrote to USDA. “We strongly urge you to end the practice immediately.”

Efforts in Congress

Negotiations are still stalled regarding the next coronavirus relief package. Last month, the House passed H.R. 7617, a \$1.3 trillion spending package including \$210 billion in emergency money to help federal agencies fight the coronavirus pandemic. The bill covers FY 2021 spending at several agencies including HHS. The bill will likely face opposition in the Senate and is opposed by the White House.

“If H.R. 7617 were presented to the President in its current form, his advisors would recommend that he veto it,” the White House said in a Statement of Administration Policy.

A group of Senate Republican leaders released a “skinny” version of a coronavirus relief package that includes extended payments for unemployed people and smaller businesses, but Democrats remain resistant to approving a smaller relief package.

Alliance Actions

Mark Limbaugh and The Ferguson Group (TFG) - the Alliance's representatives in Washington, D.C.—have been closely monitoring the federal response to the pandemic. In recent months, Alliance Executive Director Dan Keppen has participated in several briefings, describing how Western agriculture has been impacted by the government response, and summarizing the Alliance's work.

“That work has primarily entailed advocating that any infrastructure stimulus package include Western water provisions, and working to ensure that the irrigation industry be considered essential,” said Mr. Keppen.

Briefings have been provided in ZOOM sessions hosted by the Idaho Water Users Association, Tri-States (IDAHO, OREGON, and WASHINGTON), Colorado Water Congress, Pacific Power community liaisons (OREGON), federal and state conservative policy interests and think tanks, including the Heritage Foundation, and others.

Prior to the introduction of the HEALS Act, the Senate Energy and Natural Resources Committee conducted a hearing last month on the COVID-19 pandemic. While the hearing focused primarily on impacts associated with closures of public lands like national parks, campgrounds, Doug Kemper of the Colorado Water Congress also addressed challenges related to water supply. Mr. Kemper's written testimony included a section prepared by the Alliance that addresses on-the-ground impacts of the pandemic to Western irrigated agriculture.

CORRESPONDENCE LIST

Agenda Item XIII.

SEPTEMBER 2020

1. Letter received August 25, 2020 from Santa Barbara County Fire Department re: Request for updated contact information
2. Letter received August 25, 2020 from State of Ca. Employment Development Department re: Important update to your Notice of Amount Due
3. Letter received August 25, 2020 from CalPERS- California Public Employee's Retirement System re: Actuarial Circular Letter re: June 30, 2019 Actuarial Valuation Reports
4. Meeting Notice received August 26, 2020 from Santa Ynez River Water Conservation District re: Board of Directors Teleconference Meeting September 2, 2020
5. Agenda and notice received August 27, 2020 from Santa Barbara County LAFCO Agenda for Meeting September 3, 2020
6. Letter from District dated September 1, 2020 to M. McConnell re: Existing Water Service Conversion of Existing Veterinary Clinic to Additional Dwelling Unit 1750 Cottonwood Street
7. Letter from District dated September 1, 2020 to R. Newman re: Water Service Requirements – new detached residential accessory structure and new District fire hydrant 2678 Santa Barbara Ave
8. Letter from District dated September 1, 2020 to 711 Los Olivos LLC re: Demolition Letter 1595 Calzada Ave
9. Letter from District dated September 2, 2020 to Eight customers re: Final Notice – Backflow Testing requirement
10. Memorandum received September 8, 2020 from Central Coast Water Authority re: Monthly Water Deliveries
11. Letter received September 8, 2020 from Santa Barbara County Planning & Development re: Notice of Approval of Land Use Permit Meadowvale Street APN141-230-010