

NOTICE

REGULAR MEETING OF THE BOARD OF DIRECTORS SANTA YNEZ RIVER WATER CONSERVATION DISTRICT

6:30 PM, WEDNESDAY, SEPTEMBER 7, 2022

Public participation will be remote only via ZOOM or telephone
Pursuant to AB361, Directors may participate in this meeting via video/teleconference.

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

“Join a Meeting” - Meeting ID: 875 5000 3652 - Meeting Passcode: 847400

- You do NOT need to create a ZOOM account or login with email for meeting participation.
- If your device does not have a microphone or speakers, you can call in for audio with the phone number and Meeting ID listed above to listen and participate. (*6 = **Mute/unmute**) (*9 = **Raise/lower hand**)
- In the interest of clear reception and efficient administration of the meeting, all persons participating remotely are respectfully requested to mute their line after logging or dialing-in and remain muted at all times unless speaking.

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

Important Notice Regarding Public Participation in Video/Teleconference Meeting: Those who wish to provide public comment on an Agenda Item, or who otherwise are making a presentation to the Board of Directors, may participate in the meeting by phone or computer using the meeting ID number and passcode above. **Those wishing to submit written comments instead, please submit comments and materials to the District via electronic mail at athompson@sywcd.com or dropped off at the District office.** All submittals of written comments must be received by the District no later than 10:00 a.m. on Tuesday, September 6, 2022 and should indicate **“PUBLIC COMMENT”** 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 website.

AGENDA OF REGULAR MEETING

1. Call to Order and Roll Call
2. Pledge of Allegiance
3. Consider adopting Resolution No. 715, “Resolution Authorizing Remote Teleconference Meetings Under AB 361”

4. **Public Comment** (Any member of the public may address the Board relating to any non-agenda matter within the Board’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 Board at this meeting on any public item.)
Staff recommends any potential new agenda items based on issues raised be held for discussion under Agenda Item “Requests from the Board of Directors for items to be included on the next Agenda”.
5. Consideration of the Minutes of the Special Meeting of May 31, Regular Meeting of June 1, Special Meetings of June 15, June 23, and June 28, 2022
6. General Manager Report – Status, discussion and possible Board action on the following subjects:
 - a. Water Rights Release 2022
 - b. Surface Water Report
 - c. Financial Reports
 - i. Balance Sheet & Income Statement, FY 2022-23 Period 1, July 2022
 - ii. Quarterly Investment Report
 - iii. Approval of Warrant Lists for May, June, and July 2022
7. Groundwater Program Manager Report:
 - a. Groundwater Production, Reporting and Charges
 - b. Sustainable Groundwater Management Act (SGMA) Update
 - i. Authorize the General Manager to sign the Multi-Agency Contracts with GSI Water Solutions
 - ii. Update on Executive Order N-7-22, Requirement for Well Verifications
 - iii. Update on Basin Governance
8. Attorney Report
9. Reports, acts by Board members, questions of staff, status reports, announcements, observations, and other matters, and/or communications not requiring action
10. Requests from the Board of Directors for items to be included on the next Agenda.
11. The next Regular Meeting is scheduled for Wednesday, December 7, 2022, location TBD
In compliance with the California Water Code and SYRWCD Resolution No. 694, regular meetings are scheduled for the first Wednesday in March, June, September and December at various designated locations within the District. Special meetings may be held at any location within the District.

12. Closed Session

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

- a. Conference with Legal Counsel - Pending Litigation (Gov. Code, § 54956.9, subd. (d)(1)): Wolff vs SYRWCD, Superior Court of California, County of Santa Barbara, Case No. 20CV01552 and Case No. 22CV02062.
- b. Conference with Legal Counsel – Pending Litigation (Gov. Code, § 54956.9, subd. (d)(1)) relating to proceedings pending before the State Water Resources Control Board (SWRCB) regarding Permits 11308 and 11310 issued on Applications 11331 and 11332 of the United States Bureau of Reclamation for the Cachuma Project, and complaints filed by the California Sport Fishing Protection Alliance regarding the operation of the Cachuma Project and SWRCB Order WR 89-18; proposed changes to the place and purpose of use of waters obtained through aforementioned permits for the Cachuma Project; and Reclamation’s Petition for Reconsideration or Rehearing re Order WR 2019-0148; and proceedings related to SWRCB Permit No. 15878 (Application A022423) held by the City of Solvang including the City of Solvang’s Petitions for Change and Extension of Time.
- c. Conference with Legal Counsel – Anticipated Litigation (Gov. Code, § 54956.9, subd. (d)(2)): Significant exposure to litigation (One Matter).
- d. Conference with Legal Counsel – Anticipated Litigation (Gov. Code, § 54956.9, subd. (d)(4)): Possible initiation of litigation (Two Matters).

13. Reconvene into Open Session / Closed Session Report

14. Adjournment

[This agenda was posted on the District website (SYRWCD.com), at 3669 Sagunto Street, Suite 101, Santa Ynez, California. Notice was delivered in accordance with Government Code Sections 54950-54963. 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 at (805) 693-1156. Notification 24 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting.]

RESOLUTION NO. 715

**RESOLUTION OF THE BOARD OF DIRECTORS OF
THE SANTA YNEZ RIVER WATER CONSERVATION DISTRICT
AUTHORIZING REMOTE TELECONFERENCE MEETINGS UNDER AB 361**

WHEREAS, meetings of the Board of Directors of the **Santa Ynez River Water Conservation District** (District) are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District conduct its business;

WHEREAS, Government Code section 54953(e), added by Assembly Bill 361 (2021) (“AB361”), provides for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to certain conditions and requirements; and

WHEREAS, the District wishes to invoke the provisions of AB361 to authorize teleconference meetings subject to the provisions of Government Code section 54953(e);

NOW, THEREFORE, BE IT RESOLVED THAT:

Section 1. Findings. The Board of Directors hereby finds as follows:

- (a) As provided by Government Code section 54953(e)(1), a proclaimed state of emergency exists under the California Emergency Services Act, as declared by the Governor on March 4, 2020.
- (b) As provided by Government Code section 54953(e)(1), the County of Santa Barbara Health Department has imposed or recommended measures to promote social distancing, specifically Santa Barbara County Health Order No. 2021-10.5 (see also Santa Barbara County Public Health Department Health Officials AB 361 Social Distance Recommendation issued September 28, 2021).

Section 2. Procedures for Teleconference Meetings. The District shall hold meetings that allow for teleconference participation pursuant to the requirements of Government Code section 54953(e).

Section 3. Effective Date. This resolution shall take effect immediately upon its adoption.

WE, THE UNDERSIGNED, being the duly qualified and acting President and Secretary, respectively, of the Board of Directors of the Santa Ynez River Water Conservation District, do hereby certify that the above and foregoing Resolution was duly and regularly adopted and passed by the Board of Directors at a regular meeting duly held on the 7th day of September, 2022 by the following vote:

AYES, and in favor thereof, Directors:

NOES, Directors:

ABSENT/ABSTAINING, Directors:

Cynthia Allen, President

Amber Thompson, Secretary

SPECIAL MEETING MINUTES

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT

May 31, 2022

A special meeting of the Board of Directors of the Santa Ynez River Water Conservation District was held on Wednesday, May 31, 2022. As a result of the existing State of Emergency in California due to the COVID-19 pandemic, Santa Barbara County Public Health recommendations to protect public health by limiting public gatherings and recommending social distancing, and as authorized by State Assembly Bill 361, this meeting occurred solely by remote participation via video and teleconference.

Directors Present: Cynthia Allen, Mark Altshuler, Art Hibbits, Steve Jordan, and Brett Marymee

Others Present: Legal Counsel Michelle Gearhart, Carol Redhead, Board Secretary Amber Thompson, General Manager Kevin Walsh, and Legal Counsel Steve Torigiani.

I. CALL TO ORDER AND ROLL CALL

President Allen called the meeting to order at 6:30 pm. Ms. Thompson called roll. All Directors were present providing a quorum.

II. CONSIDER ADOPTING RESOLUTION 713, “RESOLUTION AUTHORIZING REMOTE TELECONFERENCE MEETINGS UNDER AB361”

Ms. Thompson explained that as the California Governor’s State of Emergency due to the COVID-19 pandemic is still in effect and the Santa Barbara County Public Health Department issued recommendations to protect public health by limiting public gatherings and recommending social distancing, and as authorized by State Assembly Bill 361, Resolution 713 was presented for consideration. There was no discussion.

Director Jordan **MOVED** to adopt Resolution No. 713, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA YNEZ RIVER WATER CONSERVATION DISTRICT AUTHORIZING REMOTE TELECONFERENCE MEETINGS UNDER AB361. Director Hibbits seconded, and the motion passed unanimously by the following roll call vote:

AYES, Directors: Allen, Altshuler, Hibbits, Jordan, Marymee

NOES, Directors: None

ABSENT, Directors: None

III. PUBLIC COMMENT

Ms. Carol Redhead thanked the Board for offering a remote participation option of the public meetings. Ms. Thompson announced she did not receive any public comments prior to the meeting.

IV. REQUEST FROM THE BOARD FOR ITEMS TO BE INCLUDED ON THE NEXT AGENDA. THE NEXT MEETING IS SCHEDULED AS A REGULAR MEETING FOR JUNE 1, 2022, AT 6:30 PM.

There were no requests.

The next scheduled Board meeting will be a Regular meeting, including a Public Hearing on the 44th Annual Engineering and Survey Report on Water Supply Conditions of the Santa Ynez River Water Conservation District, FY 2021-2022, on June 1, 2022 at 6:30 p.m. at the Buellton City Council Chambers with remote participation available.

V. CLOSED SESSION

At 6:37 pm, the Board convened into Closed Session until 8:07 pm.

VI. RECONVENE OPEN SESSION / CLOSED SESSION REPORT

At 8:07 pm, the Board reconvened into open session. President Allen advised there is nothing to report from Closed Session.

VII. ADJOURNMENT

There being no further business, President Allen, upon a MOTION by Director Jordan and seconded by Director Marymee, adjourned the meeting at 8:09 pm.

Cynthia Allen, President

Amber M. Thompson, Secretary

REGULAR MEETING MINUTES

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT

June 01, 2022

A regular meeting of the Board of Directors of the Santa Ynez River Water Conservation District was held on Wednesday, June 01, 2022. As a result of the existing State of Emergency in California due to the COVID-19 pandemic, Santa Barbara County Public Health recommendations to protect public health by limiting public gatherings and recommending social distancing, and as authorized by State Assembly Bill 361, this meeting occurred in-person at the Buellton City Council Chambers, 140 West Highway 246, Buellton, CA with remote participation via video and teleconference.

Directors Present, in-person: Cynthia Allen, Art Hibbits, Steve Jordan and Brett Marymee

Director Absent: Mark Altshuler

Others Present, in-person: Board Secretary Amber Thompson, General Manager Kevin Walsh

Others Present, remote participation: Paeter Garcia, Curtis Lawler (Stetson Engineers), Legal Counsel Steve Torigiani, and one member of the public who was unannounced.

I. CALL TO ORDER AND ROLL CALL

President Allen called the meeting to order at 6:32 pm. Ms. Thompson called roll. All Directors except for Director Altshuler were present providing a quorum.

II. PLEDGE OF ALLEGIANCE

President Allen led the Pledge of Allegiance.

III. CONSIDER CONTINUING USE OF TELECONFERENCE MEETING PROCEDURES UNDER GOVERNMENT CODE SECTION 54953(E) (AB361)

Ms. Thompson reported that the Board of Directors passed Resolution No. 713, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA YNEZ RIVER WATER CONSERVATION DISTRICT AUTHORIZING REMOTE TELECONFERENCE MEETINGS UNDER AB361 on May 31, 2022 and explained that the California Governor's State of Emergency due to the COVID-19 pandemic is still in effect and the Santa Barbara County Public Health Department issued recommendations to protect public health by limiting public gatherings and recommending social distancing, and as authorized by State Assembly Bill 361. Therefore, pursuant to AB361 and the passing of Resolution No. 713 within the last 30 days, Directors may participate in this meeting via teleconference.

IV. CONSIDERATION OF THE MINUTES OF THE SPECIAL MEETINGS OF APRIL 27 AND MAY 11, 2022

President Allen submitted the minutes of the special meeting of April 27, 2022 and May 11, 2022 for Board approval. There was no discussion. Director Marymee made a MOTION to approve the minutes. Director Jordan seconded the motion and it passed by the following roll call vote:

AYES, Directors: Cynthia Allen, Art Hibbits, Steve Jordan, Brett Marymee

NOES, Directors: None

ABSENT, Directors: Mark Altshuler

V. PUBLIC COMMENT

There was no public comment. Ms. Thompson announced she did not receive any public comments on non-agenda items prior to the meeting.

VI. PUBLIC HEARING ON THE 44TH ANNUAL ENGINEERING AND SURVEY REPORT ON WATER SUPPLY CONDITIONS OF THE SANTA YNEZ RIVER WATER CONSERVATION DISTRICT, 2021-2022

At 6:37 p.m., President Allen opened the continued public hearing and announced this is a continued public hearing to receive public comment on the 44th Annual Engineering and Survey Report on Water Supply Conditions of the Santa Ynez River Water Conservation District for 2021-2022 (Report). Ms. Thompson announced that the June 1, 2022 public hearing on the was continued from the public hearing of April 27, 2022; the June 1, 2022 public hearing was properly noticed on May 21, 2022; the Report had been available for a 30-day review period including availability to the public on the District website (SYRWCD.com) and at the District office; and the action for June 1, 2022 is to review any comments or additional information and consider approval of the Report, including its findings and determinations, which are required to maintain the groundwater charge program.

President Allen further stated the purpose of this public hearing was to receive any public comments and evidence on the Report concerning the groundwater conditions and the surface water supplies of the District. She announced that the establishment of zones and levying groundwater charges for Fiscal Year 2022-2023 will be subject of another board meeting.

President Allen announced that the District received one public letter on June 1, 2022 and distributed it to the Board of Directors. She asked Legal Counsel Steve Torigiani to summarize that public comment letter. Legal Counsel Steve Torigiani stated that a public comment letter dated June 1, 2022 from Mr. Jeff Clay, President, Board of Trustees, Santa Ynez River Water Conservation District, Improvement District No. 1 (ID No. 1) was received by email on June 1, 2022. He summarized the letter.

Citing the receipt of the June 1, 2022 comment letter received from ID No. 1 and the current status of the May 26, 2022, the Court of Appeal for the Second Appellate District, Division 6, published decision in *City of San Buenaventura v United Water Conservation District* (2022) 79 Cal.App.5th 110, invalidating section 75594 as unconstitutional, although this decision is not yet final, Legal Counsel Steve Torigiani proposed the following changes be made to the Report:

- **Delete** the second to last sentence of Section 1.4, at page 9: “The State Water Code requires that non-agricultural rates cannot be less than three times, nor more than five times the rate established for agricultural water and special irrigation water rates shall not be less than the rate for agricultural water and shall not be more than the rate for on-agricultural water.”
- **Add** to the end of the last sentence of Section 1.4, at page 9, the words “and consistent with applicable law.”
- **Delete** from Appendix A, page A-2, the following 3 sentences:
“Within any given zone, the fixed and uniform rate per acre-foot for other than agricultural water must be not less than three times nor more than five times the fixed and uniform rate established for agricultural water in that zone. A 1984 amendment to the Water code established a rate for special irrigation water (irrigation water for parks, golf courses, cemeteries, schools and publicly owned historic sites). The rate shall not be less than the rate for agricultural water and shall not be more than the rate for non-agricultural water.”

Legal Counsel Steve Torigiani further advised that the May 26, 2022 published opinion is not final, could be modified if the Supreme Court reviews the case, and that the recommended changes do not change the material aspects of the Report including the findings and determinations set forth in Section 1.4 a-j, inclusive, on page eight of the Report.

Mr. Paeter Garcia, General Manager, ID No. 1 explained ID No. 1’s intent of the June 1, 2022 dated comment letter and thanked the Board for giving attention to the letter. He stated the proposed changes by Legal Counsel Steve Torigiani should allow the Report to carry forward and support future work and decisions by the Board for this year. There were no other public comments and no discussion.

President Allen closed the public hearing at 6:45 p.m.

Director Jordan asked if the District Annual Report and the three SGMA GSA management area annual reports could be combined in future years. Discussion followed.

VII. GENERAL MANAGER REPORT

- A. Consider Approval of 44th Annual Engineering and Survey Report on Water Supply Conditions of the Santa Ynez River Water Conservation District, 2021-2022

President Allen submitted the 44th Annual Engineering and Survey Report on Water Supply Conditions of the Santa Ynez River Water Conservation District, 2021-2022 (Report) for Board approval. There was no discussion. Director Jordan made a MOTION to approve the Report incorporating all changes as recommended by Legal Counsel Steve Torigiani. Director Marymee seconded the motion and it passed by the following roll call vote:

AYES, Directors: Cynthia Allen, Art Hibbits, Steve Jordan, Brett Marymee
NOES, Directors: None
ABSENT, Directors: Mark Altshuler

B. Financial Reports, Monthly Warrants, and 3rd Quarter Investment Report

Mr. Kevin Walsh reported that the Period 10 financial report required corrections and were not available to present at this time. He presented the Warrant Lists for February, March 2022 for Board approval and ask Ms. Thompson to explain the error with April 2022 warrant list. Ms. Thompson distributed a revised April 2022 Warrant List and explained the clerical error found on the posted warrant list that was corrected in the revised version. She also explained the higher-than-normal dollar amount recorded in the April 2022 warrants are due to check #s 5438-5440, totaling \$106,284.49, were to transfer funds from Mechanics Bank accounts. Discussion followed.

Director Jordan made a MOTION to approve the February, March and revised April 2022 warrant lists paid from Mechanics Bank account by check #s 5401-5438, ACH transactions, and one stop payment of check #5389, totaling \$312,985.80 and approve April 2022 warrant list paid from Five Star Bank account by ACH transaction and one voided check #1000, totaling \$3,113.61. Director Hibbits seconded the motion and it passed by the following roll call vote:

AYES, Directors: Cynthia Allen, Art Hibbits, Steve Jordan, Brett Marymee
NOES, Directors: None
ABSENT, Directors: Mark Altshuler

Mr. Walsh presented the 3rd Quarter Investment Report.

C. Downstream Users Accounting

Mr. Walsh presented the Downstream Users Accounting. He reported that a combined release of ANA and BNA accounts is likely to happen possibly mid-August through November of 2022. Discussion followed.

D. Reservoir and Rainfall Status

Mr. Walsh presented the Santa Barbara County Flood Control District Rainfall and Reservoir Summary dated May 23, 2022. There was no discussion.

VIII. DISCUSS EXECUTIVE ORDER N-7-22

Mr. Walsh reported that staff is proceeding to work with the three GSAs, as a member of each of the GSAs, on developing a process, preferably a uniform process through the Basin. Discussion followed.

IX. ATTORNEY REPORT

Mr. Steve Torigiani provided information about AB22-01 and Executive Order N-7-22.

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

President Allen announced that she went to CSDA Legislative Days in May. The legislators were expected to attend. However, our local legislators did not attend.

XI. REQUEST FOR ITEMS TO BE INCLUDED ON THE NEXT AGENDA. THE NEXT MEETING IS SCHEDULED AS A REGULAR MEETING FOR SEPTEMBER 7, 2022, AT 6:30 PM.

President Allen announced the next scheduled meeting is a Regular Meeting for September 7, 2022, at 6:30 p.m. with the location to be determined. There were no requests.

XII. CLOSED SESSION

At 7:06 pm, the Board convened into Closed Session until 7:16 pm.

XIII. RECONVENE OPEN SESSION / CLOSED SESSION REPORT

At 7:16 pm, the Board reconvened into open session. President Allen advised there is nothing to report from Closed Session.

XIV. ADJOURNMENT

There being no further business and by MOTION from Director Jordan, President Allen adjourned the meeting at 7:17 pm.

Cynthia Allen, President

Amber M. Thompson, Secretary

SPECIAL MEETING MINUTES

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT

June 15, 2022

A special meeting of the Board of Directors of the Santa Ynez River Water Conservation District was held on Wednesday, June 15, 2022. As a result of the existing State of Emergency in California due to the COVID-19 pandemic, Santa Barbara County Public Health recommendations to protect public health by limiting public gatherings and recommending social distancing, and as authorized by State Assembly Bill 361, this meeting occurred solely by remote participation via video and teleconference.

Directors Present, in-person: Cynthia Allen, Art Hibbits, Steve Jordan and Brett Marymee

Director Absent: Mark Altshuler

Others Present, in-person: Board Secretary Amber Thompson, Legal Counsel Steve Torigiani, General Manager Kevin Walsh

I. CALL TO ORDER AND ROLL CALL

President Allen called the meeting to order at 6:32 pm. Ms. Thompson called roll. All Directors except for Director Altshuler were present providing a quorum.

II. CONSIDER CONTINUING USE OF TELECONFERENCE MEETING PROCEDURES UNDER GOVERNMENT CODE SECTION 54953(E) (AB361)

Ms. Thompson reported that the Board of Directors passed Resolution No. 713, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA YNEZ RIVER WATER CONSERVATION DISTRICT AUTHORIZING REMOTE TELECONFERENCE MEETINGS UNDER AB361 on May 31, 2022 and explained that the California Governor's State of Emergency due to the COVID-19 pandemic is still in effect and the Santa Barbara County Public Health Department issued recommendations to protect public health by limiting public gatherings and recommending social distancing, and as authorized by State Assembly Bill 361. Therefore, pursuant to AB361 and the passing of Resolution No. 713 within the last 30 days, Directors may participate in this meeting via teleconference.

III. PUBLIC COMMENT

There was no public comment. Ms. Thompson announced she did not receive any public comments on non-agenda items prior to the meeting.

VI. REQUEST FOR ITEMS TO BE INCLUDED ON THE NEXT AGENDA. THE NEXT MEETING IS SCHEDULED AS A REGULAR MEETING FOR SEPTEMBER 7, 2022, AT 6:30 PM.

President Allen announced the next scheduled meeting is a Regular Meeting for September 7, 2022, at 6:30 p.m. with the location to be determined. There were no requests.

V. CLOSED SESSION

At 6:36 pm, the Board convened into Closed Session until 7:55 pm.

VI. RECONVENE OPEN SESSION / CLOSED SESSION REPORT

At 7:55 pm, the Board reconvened into open session. President Allen advised there is nothing to report from Closed Session.

VII. ADJOURNMENT

There being no further business President Allen adjourned the meeting at 7:55 pm.

Cynthia Allen, President

Amber M. Thompson, Secretary

SPECIAL MEETING MINUTES

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT

June 23, 2022

A special meeting of the Board of Directors of the Santa Ynez River Water Conservation District was held on Thursday, June 23, 2022. As a result of the existing State of Emergency in California due to the COVID-19 pandemic, Santa Barbara County Public Health recommendations to protect public health by limiting public gatherings and recommending social distancing, and as authorized by State Assembly Bill 361, this meeting occurred in-person at the Vandenberg Village Community Services District, 3745 Constellation Road, Lompoc, CA with remote participation via video and teleconference.

Directors Present, in-person: Cynthia Allen, Art Hibbits and Steve Jordan

Directors Present, remote participation: Mark Altshuler and Brett Marymee

Others Present, in-person: Joe Barget (VVCSD), Ron Stassi (VVCSD), and General Manager Kevin Walsh

Others Present, remote participation: Chris Brooks (VVCSD), Groundwater Program Manager Bill Buelow, Richard Gonzales (VVCSD), Sudhir Pardiwala (Raftelis), Carol Redhead, Kip Sharpe, Board Secretary Amber Thompson, Legal Counsel Steve Torigiani, Claire Weinman, and one unregistered member of the public.

I. CALL TO ORDER AND ROLL CALL

President Allen called the meeting to order at 6:30 pm. Ms. Thompson called roll. All Directors were present providing a quorum.

II. PLEDGE OF ALLEGIANCE

President Allen led the Pledge of Allegiance.

III. CONSIDER CONTINUING USE OF TELECONFERENCE MEETING PROCEDURES UNDER GOVERNMENT CODE SECTION 54953(E) (AB361)

Ms. Thompson reported that the Board of Directors passed Resolution No. 713, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA YNEZ RIVER WATER CONSERVATION DISTRICT AUTHORIZING REMOTE TELECONFERENCE MEETINGS UNDER AB361 on May 31, 2022 and explained that the California Governor's State of Emergency due to the COVID-19 pandemic is still in effect and the Santa Barbara County Public Health Department issued recommendations to protect public health by limiting public gatherings and recommending social distancing, and as authorized by State Assembly Bill 361. Therefore, pursuant to AB361 and the passing of Resolution No. 713 within the last 30

days, Directors may participate in this meeting via teleconference.

There being a medical emergency, President Allen recessed the meeting until 6:48 p.m. Discussion followed.

IV. ADJOURNMENT

By MOTION from Director Altshuler, second by Director Marymee and unanimous consensus of Directors, President Allen recessed the meeting at 6:50 pm until Tuesday, June 28, 2022.

Cynthia Allen, President

Amber M. Thompson, Secretary

DRAFT

SPECIAL MEETING MINUTES

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT

June 28, 2022

A special meeting of the Board of Directors of the Santa Ynez River Water Conservation District was held on Tuesday, June 28, 2022. As a result of the existing State of Emergency in California due to the COVID-19 pandemic, Santa Barbara County Public Health recommendations to protect public health by limiting public gatherings and recommending social distancing, and as authorized by State Assembly Bill 361, this meeting occurred solely by remote participation via video and teleconference.

Directors Present: Cynthia Allen, Mark Altshuler, Art Hibbits, Steve Jordan and Brett Marymee

Others Present: Jose Acosta (City of Solvang), Joe Barget (VVCSD), Ina Blackwell, Chris Brooks (VVCSD), Groundwater Program Manager Bill Buelow, Paeter Garcia (ID No. 1), Richard Gonzales (VVCSD), Carol Redhead, Board Secretary Amber Thompson, General Manager Kevin Walsh, Legal Counsel Steve Torigiani, and one member of the public who was unannounced.

I. CALL TO ORDER AND ROLL CALL

President Allen called the meeting to order at 6:33 pm. Ms. Thompson called roll. All Directors were present providing a quorum.

II. PLEDGE OF ALLEGIANCE

President Allen led the Pledge of Allegiance.

III. CONSIDER CONTINUING USE OF TELECONFERENCE MEETING PROCEDURES UNDER GOVERNMENT CODE SECTION 54953(E) (AB361)

Ms. Thompson reported that the Board of Directors passed Resolution No. 713, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA YNEZ RIVER WATER CONSERVATION DISTRICT AUTHORIZING REMOTE TELECONFERENCE MEETINGS UNDER AB361 on May 31, 2022 and explained that the California Governor's State of Emergency due to the COVID-19 pandemic is still in effect and the Santa Barbara County Public Health Department issued recommendations to protect public health by limiting public gatherings and recommending social distancing, and as authorized by State Assembly Bill 361. Therefore, pursuant to AB361 and the passing of Resolution No. 713 within the last 30 days, Directors may participate in this meeting via teleconference.

IV. PUBLIC COMMENT

Mr. Brooks, VVCSD, thanked and complimented SYRWCD for efforts on GSA efforts. There was no other public comment. Ms. Thompson announced she did not

receive any public comments on non-agenda items prior to the meeting.

VII. CLOSED SESSION

At the request of Mr. Walsh, President Allen moved Closed Session earlier in the meeting than was agendized. At 6:43 pm, the Board convened into Closed Session until 7:02 pm.

VIII. RECONVENE OPEN SESSION / CLOSED SESSION REPORT

At 7:02 pm, the Board reconvened into open session. President Allen advised there is nothing to report from Closed Session.

V. GENERAL MANAGER REPORT

A. Consider Adoption of the Final Budget for Fiscal Year 2022-2023

Director Altshuler opened the item with words of wisdom. Mr. Walsh summarized the June 23,2022 Memorandum regarding Final Budget Fiscal Year 2022-2023 and presented the June 20, 2022 Final Draft Budget for Fiscal Year 2022-2023.

There was no discussion. Director Hibbits made a MOTION to approve the Final Budget for Fiscal Year 2022-2023 as presented. Director Altshuler seconded the motion and it passed unanimously by the following roll call vote:

AYES, Directors: Cynthia Allen, Mark Altshuler, Art Hibbits,
Steve Jordan, Brett Marymee

NOES, Directors: None

ABSENT, Directors: None

B. Consideration of Resolution No. 714 “Making Findings and Determinations, Establishing Zones, Setting Rates and Levying a Groundwater Charge for Water Year 2022-2023

Mr. Walsh summarized the June 23,2022 Memorandum regarding FY 2022-23 Groundwater Charge Rates. He presented the Rate Study Report dated June 21, 2022 which was prepared by Sudhir Pardiwala and team of the professional firm Raftelis and reviewed qualifications of Mr. Pardiwala. Mr. Walsh explained that the Rate Study Report recommended that groundwater charge rates for Fiscal Year 2022-23 be adjusted to 14.14 per acre-foot, for each water user class, in all zones. The new rates would be effective and applied to all water that is produced for the 12 months from July 1st, 2022 through June 30th, 2023.

Ms. Thompson announced that two public comment letters from Santa Ynez River Water Conservation District, Improvement District No. 1 (ID No. 1) were received by email. The first letter, dated June 23, 2022, regarding Proposed FY

2022-23 Groundwater Charges and Rate Study Report Dated June 21, 2022, from Paeter Garcia, General Manger, ID No. 1, was received on June 23, 2022, at 4:08 p.m. and was forwarded to the Board of Directors. The second letter, dated June 28, 2022, regarding SYRWCD Proposed FY 2022-23 Groundwater Charges and Final Rate Study Report Dated June 21, 2022, from Paeter Garcia, General Manger, ID No. 1, was received on June 28, 2022, at 4:18 p.m. and was forwarded to the Board of Directors.

Public comments were received. Mr. Garcia, ID No. 1, requested his comment letters become part of the official record on this matter and summarized this public comment letter dated June 28, 2022. Dr. Kipling Sharpe asked for clarification on rate structure and expressed concern for the increase in the Ag rate. Discussion followed.

Mr. Walsh and Legal Counsel Mr. Torigiani provided some explanations. Director Altshuler pointed out that the Board Approved Fiscal Year 2022-2023 Budget included an expected withdrawal of Investment Reserves to compensate for additional income needed for a balanced budget and provide a lower groundwater charge rate for Water Year 2022-23 production. Director Hibbits recalled that when constituents were asked about who should comply with SGMA in the Basin, SYRWCD or the State of California, the unanimous consensus was SYRWCD. Director Jordan advised that SGMA is a work in progress requiring Basin to move forward and is not a stable process. Director Marymee commented that the Board is choosing the best option available to move forward after being presented with many bad options to be compliant with the California Constitution for the next water year and approved a deficit to occur in the next Fiscal Year Budget.

Director Jordan waived the reading and made a MOTION to approve Resolution No. 714 “MAKING FINDINGS AND DETERMINATIONS, ESTABLISHING ZONES, SETTING RATES AND LEVYING A GROUNDWATER CHARGE FOR WATER YEAR 2022-2023. Director Hibbits seconded the motion and it passed unanimously by the following roll call vote:

AYES, Directors: Cynthia Allen, Mark Altshuler, Art Hibbits,
Steve Jordan, Brett Marymee
NOES, Directors: None
ABSENT, Directors: None

VI. THE NEXT MEETING IS SCHEDULED AS A REGULAR MEETING FOR SEPTEMBER 7, 2022, AT 6:30 P.M.

President Allen announced the next scheduled meeting is a Regular Meeting for September 7, 2022, at 6:30 p.m. with the location to be determined.

VII. CLOSED SESSION

This item was moved to earlier in the agenda, after Item IV.

VIII. RECONVENE INTO OPEN SESSION / CLOSED SESSION REPORT

This item was moved to earlier in the agenda, after Item IV.

IX. ADJOURNMENT

There being no further business, President Allen adjourned the meeting at 7:37 pm.

Cynthia Allen, President

Amber M. Thompson, Secretary

DRAFT

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT

MEMORANDUM

DATE: 7 September 2022

TO: Cynthia Allen Mark Altshuler Art Hibbits
Brett Marymee Steve Jordan Steve Torigiani

FROM: Kevin D. Walsh

SUBJECT: AGENDA ITEM NO. 6
General Manager Report

A. Water Rights Release 2022

A combined ANA/BNA release was schedule for August 15th with a 4-day graduated ramp up to 180 cfs. The City of Solvang made a request for an earlier release due to perceived deteriorating water quality (increasing nitrates) in the Central Coast Water Agency pipeline. The request was considered, and a limited release started at 8:30 am on August 8, 2022 at 20 cfs and ramping up to 30 cfs on the second day. On August 15th flows were increased to 50 cfs and over the next 3 days ramped up to 165 cfs. The release is scheduled to end in mid-November, for a total release of about 10,000 acre-feet of water. This is subject to change depending upon conditions in the Lompoc Plain and rainfall.

Mixing of State Water with the release has always been problematic. In 2020, the south coast water agencies had not ordered any State Water during the release period. This year, as with last year, the conflicting dual uses of the Penstock, (a 30-inch valved outlet pipeline at the base of the dam), for both the downstream water rights releases and for reliable gravity flows to the Hilton Creek watering system, precluded any mixing of State Water. (Hilton Creek, artificially maintained with water from Lake Cachuma, supports a Steelhead Trout fishery, where it is hoped that some of the spawn will become sea-going trout, otherwise known as anadromous steelhead.) An on-going effort is being made to possibly move the point mixing from the penstock to a more unconflicted location.

B. Surface Water Report

Gin Chow Release from Gibraltar Dam. These releases are usually made in June, based on winter inflow into the City of Santa Barbara owned Gibraltar Reservoir. The maximum release possible is 610 acre-feet. The actual amount required to be released is estimated from runoff projections, and then later is reconciled with actual reservoir inflow and what was actually released.

Discrepancies occurred in 2020 whereby more water was released downstream than was required. The 2020 “over-release” (which was not that much over), is being debited against required releases both the years 2021 and 2022 releases, where inflows were very small. This has resulted in no Gin Chow releases in either 2021 or in 2022.

Winter 2022-23 Precipitation Outlook. The National Weather Service indicates that at this time predictions for next winter cannot be definitively made. With regard to the “El Niño Southern Oscillation” (aka **ENSO or El Nino/La Nina**: a recurring climate pattern involving changes in the temperature of waters in the central and eastern tropical Pacific Ocean), the data indicates a slight probability of the La Nina situation continuing into the winter. Whereas El Nino years are associated with wet weather, La Nina’s tend to correlate to below average rainfall for southern California.

Cloud Seeding. The Santa Barbara County Water Agency Cloud Seeding program had been suspended due to the destruction of vegetation in the watershed caused by the 2017 Thomas and Whittier Fires, causing a situation where heavy rainfall could cause slides, slip outs, and mudflows. The vegetation is recovering, and a decision was made last year to resume the cloud seeding program. However, cloud seeding requires “seedable” clouds. Such circumstances do not occur with every storm or even every winter. There were no cloud seeding opportunities last year.

Attachments:

- Rainfall and Reservoir Status Report
- Cachuma Daily Operations
- Downstream User Accounting Report
- Groundwater Level Graphs

C. Financial Reports

Attachments:

- July Balance Sheet and Income Statement
- Quarterly Investment Report
- Monthly warrants for May, June, and July 2022

Recommend Motion: Approve May, June, and July 2022 Warrants.

Roll call vote.

KDW/amt

Enclosures



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: 8/29/2022

Water Year: 2022

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](http://www.countyofsb.org/hydrology)

Rainfall	ID	24 hrs	Storm 0day(s)	Month	Year*	% to Date	% of Year*	AI
Buellton (Fire Stn)	233	0.00	0.00	0.00	9.11	55%	55%	
Cachuma Dam (USBR)	332	0.00	0.00	0.00	12.69	65%	64%	
Carpinteria (Fire Stn)	208	0.00	0.00	0.01	10.04	59%	58%	
Cuyama (Fire Stn)	436	0.00	0.00	0.00	4.51	59%	59%	
Figueroa Mtn. (USFS Stn)	421	0.00	0.00	0.00	13.17	62%	61%	12.5
Gibraltar Dam (City Facility)	230	0.00	0.00	0.00	17.70	68%	67%	12.5
Goleta (Fire Stn-Los Carneros)	440	0.00	0.00	0.00	11.88	65%	64%	
Lompoc (City Hall)	439	0.00	0.00	0.05	9.99	69%	69%	12.5
Los Alamos (Fire Stn)	204	0.00	0.00	0.00	9.30	61%	61%	
San Marcos Pass (USFS Stn)	212	0.00	0.00	0.00	26.77	80%	79%	
Santa Barbara (County Bldg)	234	0.00	0.00	0.00	13.38	73%	73%	
Santa Maria (City Pub. Works)	380	0.00	0.00	0.00	7.95	60%	60%	
Santa Ynez (Fire Stn /Airport)	218	0.00	0.00	0.00	10.13	65%	64%	
Sisquoc (Fire Stn)	256	0.00	0.00	0.00	7.47	50%	49%	

County-wide percentage of "Normal-to-Date" rainfall : **64%**

County-wide percentage of "Normal Water-Year" rainfall : **63%**

County-wide percentage of "Normal Water-Year" rainfall calculated assuming no more rain through Aug. 31, 2022 (End of WY2022).

AI (Antecedent Index / Soil Wetness)

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

Reservoirs

Reservoir Elevations referenced to NGVD-29.

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

Click on Site for Real-Time Readings	Spillway Elev. (ft)	Current Elev. (ft)	Max. Storage (ac-ft)	Current Storage (ac-ft)	Current Capacity (%)	Storage Change Mo.(ac-ft)	Storage Change Year*(ac-ft)
Gibraltar Reservoir	1,400.00	1,381.78	4,693	1,344	28.6%	-433	1,070
Cachuma Reservoir	753.**	700.42	192,978	71,864	37.2%	-6,607	-27,406
Jameson Reservoir	2,224.00	2,205.60	4,848	2,837	58.5%	-106	-248
Twitchell Reservoir	651.50	NA	194,971	NA		NA	NA

CACHUMA DAILY OPERATIONS

Month & Year: August 2022
 Time of Observations: 0830 Evaporation Pan Factor: 81%

Day	Beginning Storage: 79,541			Surface Area	Rainfall		Evaporation		CCWA Inflow	Releases						Computed Inflow
	Elevation	Storage	Change		inches	acre-feet	inches	acre-feet		Park Diversion	South Coast	Hilton Creek	WR 89-18	Outlet	Spillway	
	ft	acre-feet	acre-feet	acres	inches	acre-feet	inches	acre-feet	acre-feet	acre-feet	acre-feet	acre-feet	acre-feet	acre-feet	acre-feet	acre-feet
1	704.44	79,457	(84)	1,684	-		0.260	29.5	12.5	0.10	55.1	1.5	-	21.0	-	10.7
2	704.38	79,357	(100)	1,682	-		0.350	39.7	12.4	0.09	54.6	1.5	-	22.0	-	5.5
3	704.33	79,273	(84)	1,681	-		0.370	42.0	12.4	0.10	56.2	0.9	-	20.0	-	22.8
4	704.27	79,172	(101)	1,679	-		0.320	36.3	12.4	0.10	54.0	2.0	-	22.0	-	1.0
5	704.20	79,054	(118)	1,678	-		0.350	39.6	12.4	0.10	66.8	1.9	-	22.0	-	0.0
6	704.15	78,970	(84)	1,676	-		0.180	20.4	12.4	0.09	63.2	2.0	-	22.0	-	11.3
7	704.08	78,836	(134)	1,675	-		0.380	43.0	12.4	0.10	66.9	2.0	-	22.0	-	(12.4)
8	704.04	78,785	(51)	1,674	-		0.280	31.6	12.4	0.10	43.9	2.0	-	22.0	-	36.2
9	703.98	78,685	(100)	1,672	-		0.280	31.6	12.4	0.09	46.6	2.1	35.0	-	-	3.0
10	703.89	78,533	(152)	1,670	-		0.290	32.7	12.4	0.10	56.9	2.0	56.0	-	-	(16.7)
11	703.81	78,399	(134)	1,668	-		0.310	34.9	12.4	0.10	64.5	2.1	57.0	-	0.6	12.8
12	703.73	78,265	(134)	1,666	-		0.250	28.1	12.4	0.10	69.4	6.4	56.0	-	0.6	14.2
13	703.64	78,113	(152)	1,663	-		0.290	32.6	12.4	0.09	69.8	6.7	57.6	-	0.6	3.0
14	703.55	77,964	(149)	1,661	-		0.290	32.5	12.4	0.10	68.8	7.0	56.6	-	0.6	4.2
15	703.47	77,832	(132)	1,660	-		0.300	33.6	12.4	0.10	36.6	4.7	56.5	-	0.6	(12.3)
16	703.38	77,683	(149)	1,657	-		0.290	32.4	12.4	0.09	47.8	4.3	92.7	-	0.6	16.5
17	703.25	77,469	(214)	1,655	-		0.300	33.5	12.3	0.10	48.7	5.2	139.8	-	0.6	1.6
18	703.06	77,155	(314)	1,650	-		0.360	40.1	12.3	0.10	55.7	5.2	239.9	-	0.6	15.3
19	702.81	76,742	(413)	1,645	-		0.320	35.5	9.6	0.09	57.7	4.6	317.5	-	0.6	(6.6)
20	702.56	76,331	(411)	1,639	-		0.290	32.1	11.9	0.10	61.9	4.6	318.5	-	0.6	(5.1)
21	702.32	75,939	(392)	1,635	-		0.240	26.5	11.8	0.10	62.8	4.6	316.5	-	0.6	7.3
22	702.10	75,580	(359)	1,632	-		0.260	28.6	22.2	0.10	51.7	4.6	318.5	-	0.6	22.9
23	701.88	75,221	(359)	1,628	-		0.290	31.9	23.0	0.09	49.0	4.5	318.6	-	0.6	22.7
24	701.65	74,845	(376)	1,624	-		0.270	29.6	12.0	0.10	48.2	4.7	319.5	-	0.6	14.7
25	701.40	74,441	(404)	1,620	-		0.250	27.3	1.2	0.10	53.4	4.6	316.6	-	0.6	(2.6)
26	701.16	74,053	(388)	1,616	-		0.280	30.5	-	0.09	53.3	4.7	319.5	-	0.6	20.7
27	700.91	73,649	(404)	1,612	-		0.290	31.5	-	0.10	64.7	4.6	316.6	-	0.6	14.2
28	700.66	73,245	(404)	1,607	-		0.280	30.4	-	0.10	63.3	4.6	315.6	-	0.6	10.6
29	700.42	72,861	(384)	1,603	-		0.220	23.8	-	0.10	64.1	4.7	316.6	-	0.6	25.9
30	700.17	72,461	(400)	1,599	-		0.250	27.0	7.6	0.09	63.1	4.7	317.6	-	0.6	5.5
31										0.10						

TOTALS		(7,080)			-	-	8.690	968.9	-	322.4	3.01	1,718.7	115.0	4,658.7	173.0	12.0	246.8
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Park Usage Rain 0% Yr. Total 0

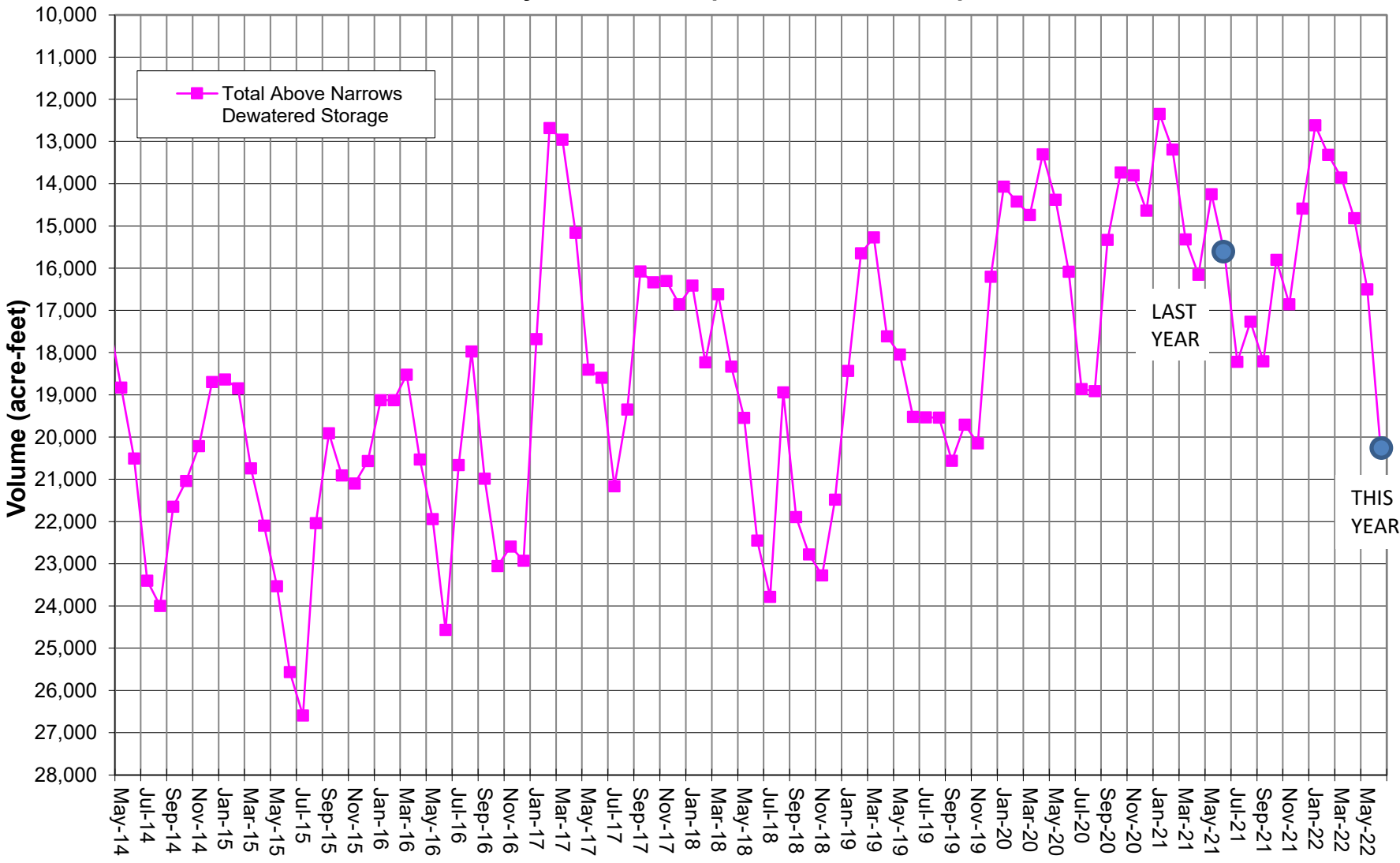
C A C H U M A
 Santa Ynez River - Downstream Users Accounting
 July 2022

SUMMARY

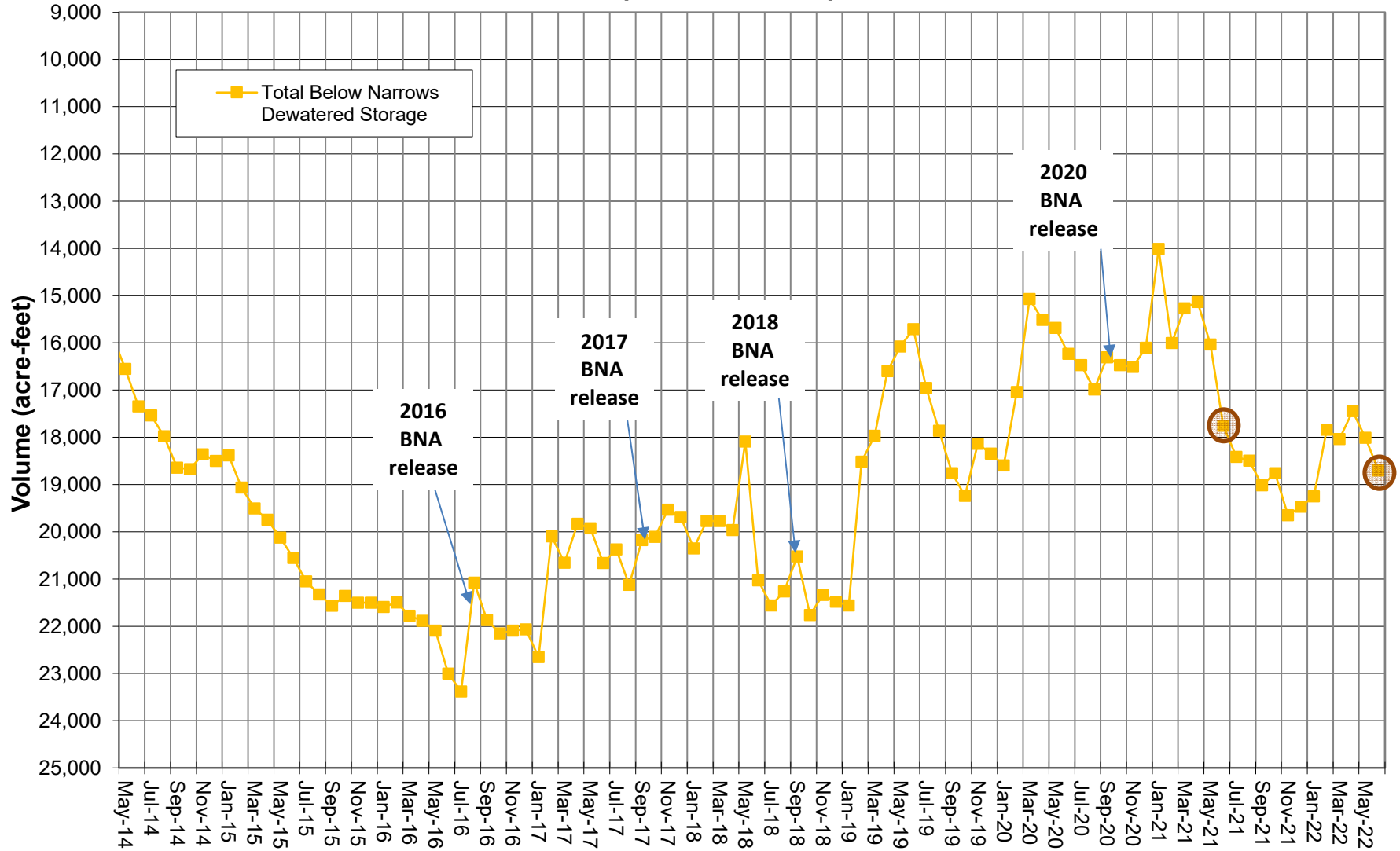
RESERVOIR		Computed Inflow	263.3
Releases			648.8
Fish	648.8		
Water rights	0.0		
Leakage	0.0		
Spills			0.0
Valves	0.0		
Spillway	0.0		
Leakage	0.0		
		Total Downstream Releases . .	648.8
Diversions			1902.1
South Coast	1899.0		
Park (SYRWCD ID #1)	3.1		
SYRWCD ID #1	0.0		
		Total Reservoir Outflows . .	2550.9
CCWA Inflow	579.7		
Releases Affecting Accounts	0.0		
Project Savings	0.0		
ABOVE NARROWS ACCOUNT (ANA)			
Previous Months ANA			11446.0
ANA Credit	263.3		
Releases from ANA	0.0		
BNA Releases Not Reaching Narrows	0.0		
ANA Dewatered Storage: Current	20941.0		
Previous	20213.0		
Change	728.0		
Spills Reducing ANA	0.0		
Current ANA			11709.3
BELOW NARROWS ACCOUNT (BNA)			
Previous Months BNA			4981.0
Measured Flow at Narrows	0.0		
Salsipuedes Creek Contribution	1.2		
Releases from BNA	0.0		
BNA Releases Reaching Narrows	0.0		
Constructive Flow at Narrows	0.0		
Elevation of Indicator well (feet)	0.0		
Percolation from Measured Flow	0.0		
Percolation from Constructive Flow	0.0		
BNA Credit	0.0		
Spills Reaching Narrows	0.0		
BNA Dewatered Storage: Current	19343.0		
Previous	18704.0		
Change	639.0		
Spills Reducing BNA	0.0		
Current BNA			4981.0

Notes: All values are in acre-feet unless otherwise indicated.
 Date of Report: 08/18/2022
 USING SAN LUCAS CREEK AS FIRST CHECKPOINT
 UPSTREAM OPERATIONS ADJUSTMENT ALL NEG OR ZERO

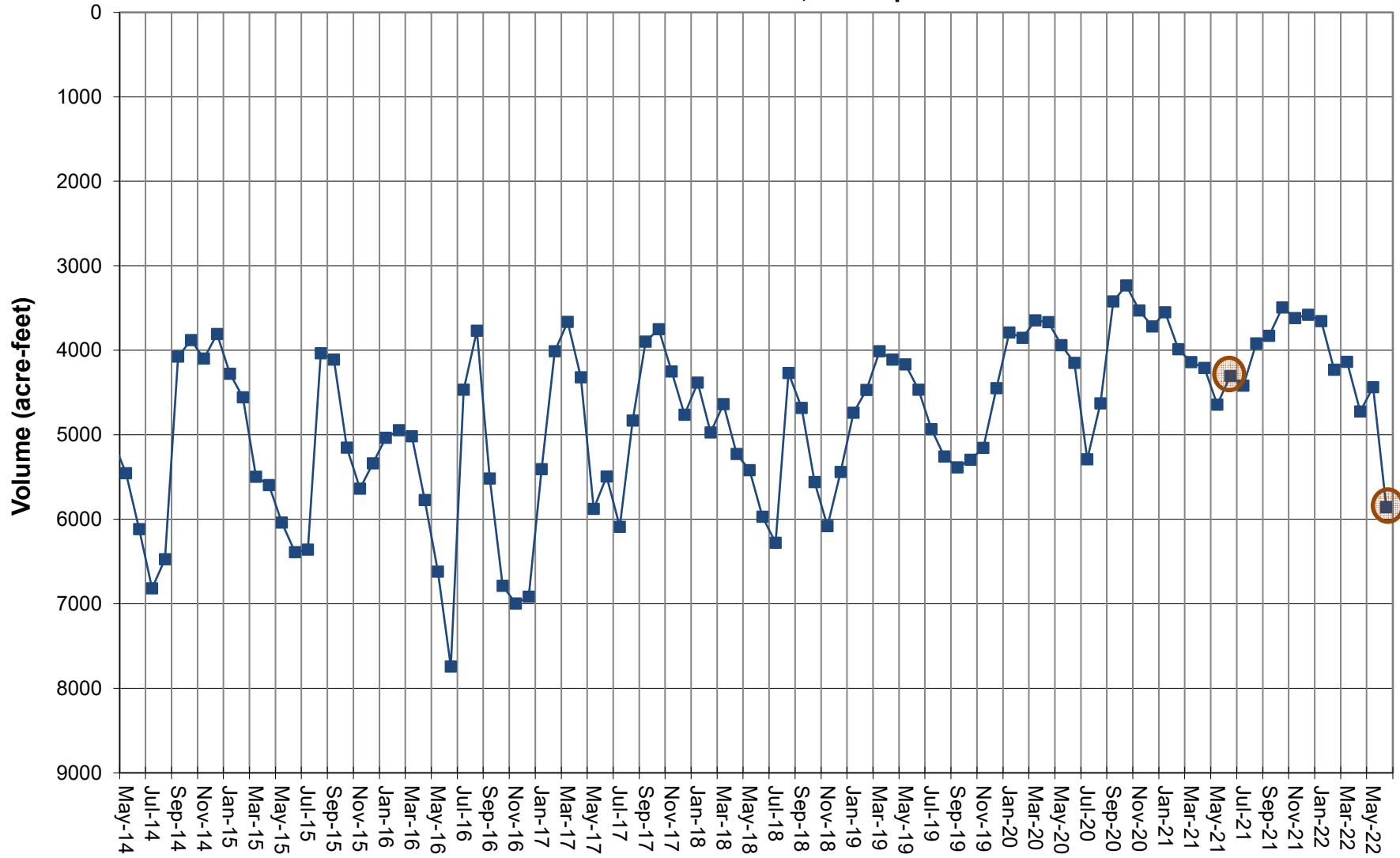
Total Dewatered Groundwater Storage (DWS) Between Bradbury Dam and Lompoc Narrows, 2014 - present



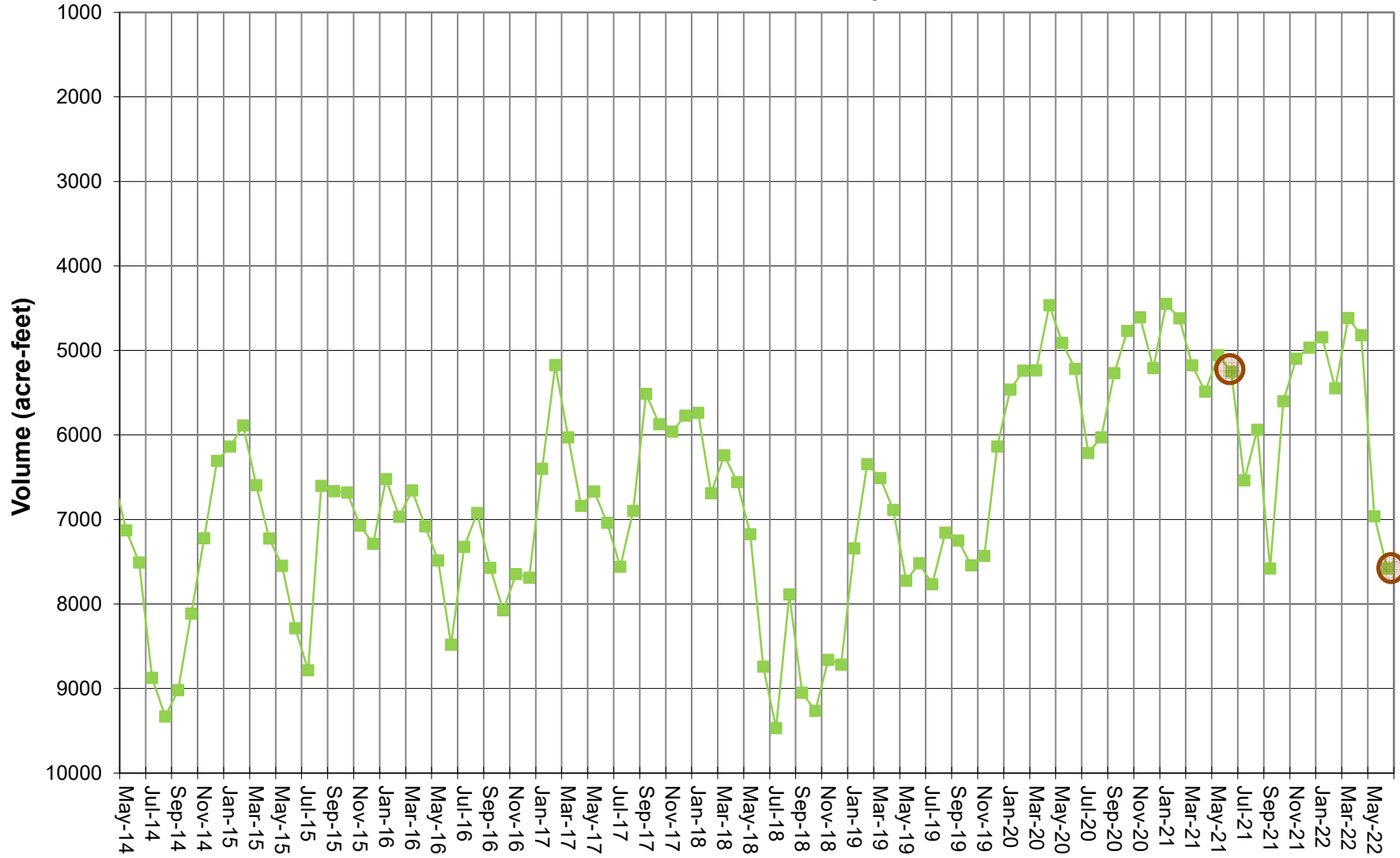
Total Dewatered Groundwater Storage (DWS) in Lompoc Plain, 2014 - present



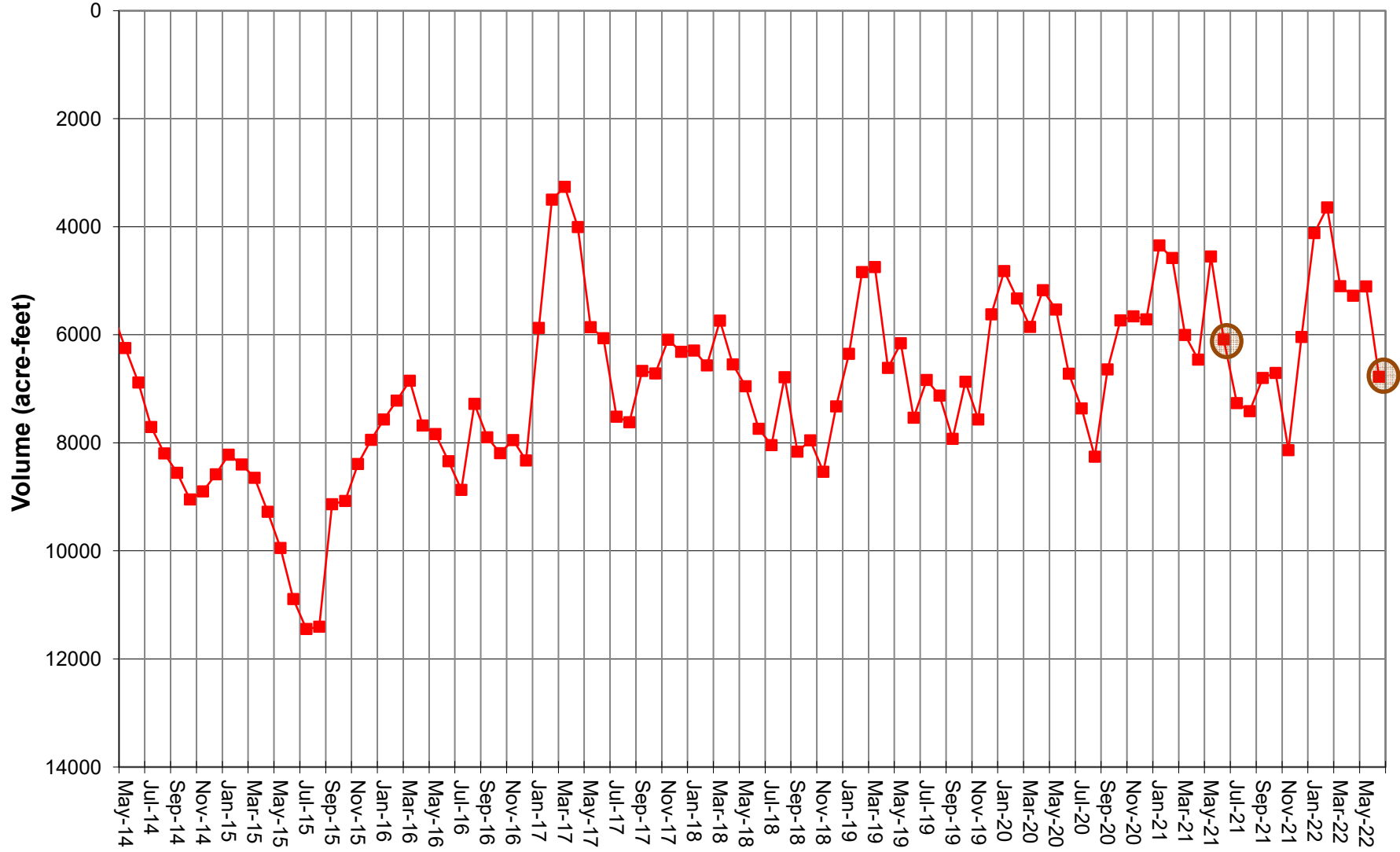
Dewatered Storage (DWS) in Santa Ynez Subunit, 2014 - present



Dewatered Storage (DWS) in Buellton Subunit, 2014 - present



**Dewatered Storage (DWS)
in Santa Rita Subunit, 2014 - present**



SY River Water District
BALANCE SHEET
JULY 31, 2022

ASSETS

ASSETS

Mechanics Checking #7071-01	\$601.30	
Five Star Checking #5935	6,515.35	
Mechanics #7311 (GW Revenue)	4,822.08	
Mechanics #7313 (2nd MM)	.00	
Mechanics #7314 (Grant Funds)	.00	
Five Star MM #5986	207,759.60	
Five Star #5994	.01	
LAIF	1,576,632.17	
SBIF	391,743.18	
LAIF/SBIF FMV Adjustment	7,826.00	
Taxes Receivable	.00	
Interest Receivable	.00	
Deferred Expenses	.00	
Prepaid Expenses	1,001.91	
Accounts Receivable	283,156.65	
Temporary Suspense Account	(440.00)	
Pass through Transfer	.00	

TOTAL ASSETS		2,479,618.25

TOTAL ASSETS		\$2,479,618.25
		=====

LIABILITIES AND EQUITY

LIABILITIES

Accounts Payable	61,259.44	
Accrued Payroll Taxes	.00	
Deferred Comp - Lincoln Nat'l	.00	
Due USGS Lpc. Monit. Study	.00	
Due ID No 1 LAFCO	.00	
Due Misc	.00	
SYRHM Project (Agency Fund)	.00	
SGMA Funds Interest Income	.01	
SGMA Funds Due to other Govts	.26	

TOTAL LIABILITIES		61,259.71

TOTAL LIABILITIES		61,259.71

RESERVES

Unappropriated Reserves	2,400,825.41	
RETAINED EARNINGS-CURRENT YEAR	17,533.13	

TOTAL RESERVES		2,418,358.54

TOTAL LIABILITIES AND EQUITY		\$2,479,618.25
		=====

SY River Water District
 INCOME STATEMENT
 FOR THE 1 PERIOD ENDED JULY 31, 2022

	PERIOD TO DATE			YEAR TO DATE		
	ACTUAL	BUDGET	VARIANCE	ACTUAL	BUDGET	VARIANCE
INCOME						
DWR Grant Reimbursement	\$.00	.00	.00	.00	.00	.00
Ground Water Charges	99,400.47	140,000.00	(40,599.53)	99,400.47	140,000.00	(40,599.53)
Unrealized Gains/Losses	.00	.00	.00	.00	.00	.00
SB Co. Property Taxes	.00	.00	.00	.00	.00	.00
Interest Income, all sources	121.64	100.00	21.64	121.64	100.00	21.64
Miscellaneous Income	81.13	.00	81.13	81.13	.00	81.13
TOTAL INCOME	99,603.24	140,100.00	(40,496.76)	99,603.24	140,100.00	(40,496.76)
GROSS PROFIT	99,603.24	140,100.00	(40,496.76)	99,603.24	140,100.00	(40,496.76)
EXPENSES:						
EXPENSES, OPERATIONS						
Employee Compensation	35,189.98	35,166.67	(23.31)	35,189.98	35,166.67	(23.31)
Payroll (SS & Medicare)	2,703.52	2,500.00	(203.52)	2,703.52	2,500.00	(203.52)
Employee Benefits	606.91	500.00	(106.91)	606.91	500.00	(106.91)
Retirement Costs	2,463.32	2,500.00	36.68	2,463.32	2,500.00	36.68
Outside Staff Support	380.00	583.33	203.33	380.00	583.33	203.33
Director Fees	.00	.00	.00	.00	.00	.00
Director Fees SGMA	150.00	.00	(150.00)	150.00	.00	(150.00)
Ground Water Charges Admin.	4,955.80	5,416.67	460.87	4,955.80	5,416.67	460.87
Office Supplies-Incl Computer	84.43	250.00	165.57	84.43	250.00	165.57
IT Services	.00	166.67	166.67	.00	166.67	166.67
Communications	532.68	541.67	8.99	532.68	541.67	8.99
Travel & Training	650.00	583.33	(66.67)	650.00	583.33	(66.67)
Audit/Accounting	.00	.00	.00	.00	.00	.00
Insurance, Bonds, Work. Comp	18,779.21	20,000.00	1,220.79	18,779.21	20,000.00	1,220.79
Misc. Expense	35.00	250.00	215.00	35.00	250.00	215.00
Dues	.00	.00	.00	.00	.00	.00
Tax Admin Fee/LAFCO Cost	1,026.00	1,800.00	774.00	1,026.00	1,800.00	774.00
Office Occupancy	2,168.26	1,875.00	(293.26)	2,168.26	1,875.00	(293.26)
Credit Card Processing Fees	.00	.00	.00	.00	.00	.00
TOTAL EXPENSES, OPERATIONS	69,725.11	72,133.34	2,408.23	69,725.11	72,133.34	2,408.23
EXPENSES, SGMA						
SGMA General	.00	.00	.00	.00	.00	.00
SGMA WMA	1,858.00	4,583.33	2,725.33	1,858.00	4,583.33	2,725.33
SGMA CMA	1,368.00	4,166.67	2,798.67	1,368.00	4,166.67	2,798.67
SGMA EMA	328.00	3,750.00	3,422.00	328.00	3,750.00	3,422.00
SGMA Legal	1,091.50	2,083.33	991.83	1,091.50	2,083.33	991.83
SIGMA Pass thru Grant Expense	.00	.00	.00	.00	.00	.00
TOTAL EXPENSES, SGMA	4,645.50	14,583.33	9,937.83	4,645.50	14,583.33	9,937.83
EXPENSES, SPECIAL STUDIES						
Rates/Charges	.00	.00	.00	.00	.00	.00
TOTAL EXPENSES, SPECIAL STUDIE	.00	.00	.00	.00	.00	.00

SYR River Water District
INCOME STATEMENT
FOR THE 1 PERIOD ENDED JULY 31, 2022

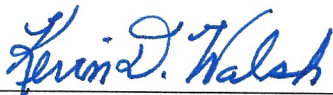
	PERIOD TO DATE			YEAR TO DATE		
	ACTUAL	BUDGET	VARIANCE	ACTUAL	BUDGET	VARIANCE
EXPENSES, LEGAL						
General & Misc	\$1,858.50	1,250.00	(608.50)	1,858.50	1,250.00	(608.50)
WR89-18	.00	.00	.00	.00	.00	.00
Upper SYR Ops	.00	.00	.00	.00	.00	.00
WR 2019-0148 Decision; EIR	973.50	2,916.67	1,943.17	973.50	2,916.67	1,943.17
Fisheries, Legal	4,867.50	1,250.00	(3,617.50)	4,867.50	1,250.00	(3,617.50)
HR	.00	208.33	208.33	.00	208.33	208.33
SGMA	.00	.00	.00	.00	.00	.00
GW Program	.00	416.67	416.67	.00	416.67	416.67
Assessments/Charges	.00	.00	.00	.00	.00	.00
TOTAL EXPENSES, LEGAL	7,699.50	6,041.67	(1,657.83)	7,699.50	6,041.67	(1,657.83)
EXPENSES, ENGINEER						
General & Misc.	.00	833.33	833.33	.00	833.33	833.33
Annual G.W. Report	.00	.00	.00	.00	.00	.00
WR 89-18 Operations	.00	5,000.00	5,000.00	.00	5,000.00	5,000.00
Upper SYR Operations	.00	416.67	416.67	.00	416.67	416.67
WR 2019-0148 Decision; EIR	.00	1,666.67	1,666.67	.00	1,666.67	1,666.67
Fisheries Hydrology	.00	2,500.00	2,500.00	.00	2,500.00	2,500.00
Special Studies	.00	1,250.00	1,250.00	.00	1,250.00	1,250.00
Rate Study	.00	.00	.00	.00	.00	.00
TOTAL EXPENSES, ENGINEER	.00	11,666.67	11,666.67	.00	11,666.67	11,666.67
EXPENSES, CONTINGENCIES						
All Zones, General	.00	4,166.67	4,166.67	.00	4,166.67	4,166.67
Tenant Improvements	.00	.00	.00	.00	.00	.00
TOTAL EXPENSES, CONTINGENCIES	.00	4,166.67	4,166.67	.00	4,166.67	4,166.67
TOTAL EXPENSES	82,070.11	108,591.68	26,521.57	82,070.11	108,591.68	26,521.57
NET INCOME FROM OPERATIONS	17,533.13	31,508.32	(13,975.19)	17,533.13	31,508.32	(13,975.19)
EARNINGS BEFORE INCOME TAX	17,533.13	31,508.32	(13,975.19)	17,533.13	31,508.32	(13,975.19)
NET INCOME (LOSS)	\$17,533.13	31,508.32	(13,975.19)	17,533.13	31,508.32	(13,975.19)

QUARTERLY INVESTMENT REPORT
(REF. CGC 53646 (B) (1) AND 53646 (E))
SANTA YNEZ RIVER WATER CONSERVATION DISTRICT
4TH QUARTER, FY 2021-22
APRIL, MAY, JUNE 2022

Certification is hereby provided that:

- A. All investment actions executed during the last quarter have been made in full compliance with the Investment Policy; and,
- B. Sufficient funds exist so that the District will meet its expenditure obligations for the next six months as required by CGC 53646 (b) (2) and (3), respectively.


CERTIFICATION:



Kevin D. Walsh, General Manager



Date



William J. Buelow, Treasurer



Date

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT
MAY 2022 WARRANT LIST FOR BOARD APPROVAL
(Account held at Five Star Bank)

<u>NUMBER</u>	<u>DATE</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
ACH	5/2/2022	Payroll	April 16-30, 2022 Salary	\$ 9,244.59
ACH	5/2/2022	Cynthia Allen	4/12 & 4/27/22 SYRWCD Meetings	\$ 138.52
ACH	5/2/2022	Mark Altshuler	4/12/22 SYRWCD Meeting	\$ 69.26
ACH	5/2/2022	Art Hibbits	4/12 & 4/27/22 SYRWCD Meetings	\$ 138.52
ACH	5/2/2022	Steve Jordan	4/12 & 4/27/22 SYRWCD Meetings	\$ 138.52
ACH	5/2/2022	Brett Marymee	4/12 & 4/27/22 SYRWCD Meetings	\$ 138.52
ACH	5/5/2022	Lincoln Financial Group	457 Plan Deferred Comp. Contributions (4/30/22)	\$ 1,985.58
ACH	5/16/2022	Payroll	May 1-15, 2022 Salary	\$ 9,244.59
ACH	5/17/2022	Employment Development Dept.	EDD Tax Deposit (May 1-15, 2022)	\$ 925.05
ACH	5/17/2022	Mechanics Bank (Payroll Acct)	Payroll Tax Deposit (May 1-15, 2022)	\$ 5,192.30
TOTAL				\$ 27,215.45

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT
MAY 2022 WARRANT LIST FOR BOARD APPROVAL
(Account held at Mechanics Bank)

<u>NUMBER</u>	<u>DATE</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
ACH	5/2/2022	Employment Development Dept.	EDD Tax Deposit (April 16-30, 2022)	\$ 925.05
ACH	5/2/2022	Mechanics Bank (Payroll Acct)	Payroll Tax Deposit (April 16-30, 2022)	\$ 5,295.62
5441	5/12/2022	Judy Adams	March & April 2022 GW Admin Service	\$ 450.00
5442	5/12/2022	Bartlett Pringle Wolf	FY 2020-21 Financial Audit	\$ 1,200.00
5443	5/12/2022	William Buelow	April 2022 Expense Reimbursement	\$ 15.21
5444	5/12/2022	Guardian	May 2022 Dental, Vision, Life, LTD & ADD Insurance	\$ 405.36
5445	5/12/2022	Jim Heyerly	May 2022 Rent	\$ 1,500.00
5446	5/12/2022	Inklings Printing Co.	GW forms and envelopes	968.57
5447	5/12/2022	VOID	VOID printing error	\$ -
5448	5/12/2022	Alex Pappas	April 2022 Admin Support & CMA Monitor Sites	\$ 180.00
5449	5/12/2022	Pacific Gas & Electric	April 2022 Electric Service	\$ 159.01
5450	5/12/2022	Shirley Scales Bookkeeping	April 2022 GW Admin Service	\$ 1,809.00
5451	5/12/2022	Staples	Office Supplies	\$ 60.81
5452	5/12/2022	Stetson Engineers	March 2022 Engineering Service	\$ 9,428.58
5453	5/12/2022	SYRWCD - Transfer to NEW Bank	Money Market: Mechanics #7311 to Five Star #5986	\$ 135,000.00
5454	5/12/2022	US Bank Corp	April 2022 CalCard	\$ 816.49
5455	5/12/2022	Valley Bookkeeping Services	April 2022 Bookkeeping	\$ 380.00
5456	5/12/2022	Young Wooldridge	April 2022 Legal Service	\$ 25,483.25

TOTAL \$ 184,076.95

Transfer of funds to new bank: \$ (135,000.00)
Accounts Payable May 2022: \$ 49,076.95

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT
JUNE 2022 WARRANT LIST FOR BOARD APPROVAL
(Account held at Five Star Bank)

<u>NUMBER</u>	<u>DATE</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
ACH	6/3/2022	Payroll	May 16-31, 2022 Salary	\$ 9,244.59
ACH	6/3/2022	Cynthia Allen	5/11 & 5/31 SYRWCD, 5/23 CMA, 5/26/22 EMA Meetings	\$ 277.05
ACH	6/3/2022	Mark Altshuler	5/11 & 5/31/22 SYRWCD Meetings	\$ 138.52
ACH	6/3/2022	Art Hibbits	5/11 & 5/31 SYRWCD, 5/23/22 CMA Meetings	\$ 207.79
ACH	6/3/2022	Steve Jordan	5/11 & 5/31 SYRWCD, 5/25/22 WMA Meetings	\$ 207.79
ACH	6/3/2022	Brett Marymee	5/11 & 5/31 SYRWCD, 5/26/22 EMA Meetings	\$ 207.79
ACH	6/3/2022	Employment Development Dept.	EDD Tax Deposit (May 16-31, 2022)	\$ 925.05
ACH	6/3/2022	Five Star Bank (Payroll Acct)	Payroll Tax Deposit (May 16-31, 2022)	\$ 5,364.42
1001	6/14/2022	Guardian	June 2022 Insurance Benefits Dental, Vision, Life, LTD & ADD	\$ 405.36
1002	6/14/2022	Jim Heyerly	June 2022 Rent	\$ 1,500.00
1003	6/14/2022	Judy Adams	May 2022 GW Admin Service	\$ 250.00
1004	6/14/2022	Onsite Computers & Design	Troubleshoot technology issues	\$ 187.50
1005	6/14/2022	Alex Pappas	May 2022 GW Admin & Fish Hydrology	\$ 327.00
1006	6/14/2022	Pacific Gas & Electric	May 2022 Electric Service	\$ 142.29
1007	6/14/2022	Shirley Scales Bookkeeping	May 2022 GW Admin Service	\$ 1,611.00
1008	6/14/2022	Staples	Office Supplies	\$ 287.48
1009	6/14/2022	Stetson Engineers	April 2022 Engineering Service	\$ 17,397.12
1010	6/14/2022	US Bank Corp	May 2022 CalCard	\$ 1,036.92
1011	6/14/2022	Valley Bookkeeping Services	May 2022 Bookkeeping	\$ 380.00
1012	6/14/2022	Young Wooldridge	May 2022 Legal Service	\$ 27,088.53
ACH	6/15/2022	Lincoln Financial Group	457 Plan Employee Deferred Comp. (05/15/22)	\$ 1,985.58
ACH	6/15/2022	Lincoln Financial Group	457 Plan Employee Deferred Comp. (05/31/22)	\$ 1,985.58
ACH	6/16/2022	Lincoln Financial Group	457 Plan Employee Deferred Comp. (06/15/22)	\$ 1,985.58
ACH	6/22/2022	Lincoln Financial Group	457 Plan Employer Match of partial Deferred Comp. (04/30/22, 05/15/22, 05/31/22, & 06/15/22)	\$ 2,753.60
ACH	6/17/2022	Payroll	June 1-15, 2022 Salary	\$ 9,244.59
ACH	6/17/2022	Employment Development Dept.	EDD Tax Deposit (June 1-15, 2022)	\$ 925.05
ACH	6/17/2022	Five Star Bank (Payroll Acct)	Payroll Tax Deposit (June 1-15, 2022)	\$ 5,192.30
TOTAL				\$ 91,258.48

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT
JUNE 2022 WARRANT LIST FOR BOARD APPROVAL
(Account held at Mechanics Bank)

<u>NUMBER</u>	<u>DATE</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
5457	6/17/2022	SYRWCD - Transfer to NEW Bank	Mechanics Bank: Transfer funds from Money Market #7311 and Checking #7101 to Five Star Bank Money Market #5986	\$ 90,000.00
TOTAL				\$ 90,000.00
Transfer of funds to new bank:				\$ (90,000.00)
Accounts Payable June 2022:				\$ -

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT
JULY 2022 WARRANT LIST FOR BOARD APPROVAL
(Account held at Five Star Bank)

<u>NUMBER</u>	<u>DATE</u>	<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>FY 2022-23</u>
ACH	7/1/2022	Payroll	June 16-30, 2022 Salary	\$ 9,244.59	
ACH	7/1/2022	Cynthia Allen	Meetings: 6/1, 6/23, & 6/28/22 SYRWCD; 6/30/22 EMA	\$ 277.05	
ACH	7/1/2022	Mark Altshuler	Meetings: 6/23, & 6/28/22 SYRWCD	\$ 138.52	
ACH	7/1/2022	Art Hibbits	Meetings: 6/1, 6/23, & 6/28/22 SYRWCD	\$ 207.79	
ACH	7/1/2022	Steve Jordan	Meetings: 6/1, 6/23, & 6/28/22 SYRWCD	\$ 207.79	
ACH	7/1/2022	Brett Marymee	Meetings: 6/1, 6/23, & 6/28/22 SYRWCD; 6/30/22 EMA	\$ 277.05	
ACH	7/6/2022	Employment Development Dept.	EDD Tax Deposit (June 16-31, 2022)	\$ 925.05	
ACH	7/6/2022	Five Star Bank (Payroll Acct)	Payroll Tax Deposit (June 16-31, 2022)	\$ 5,375.90	
ACH	7/14/2022	Lincoln Financial Group	457 Plan Employee Deferred Comp. (06/30/22) & Employer Match (partial due 06/30/22)	\$ 2,673.98	
1013	7/13/2022	Judy Adams	June 2022 GW Admin Service	\$ 593.75	
1014	7/13/2022	Jim Heyerly	July 2022 Rent	\$ 1,500.00	\$ 1,500.00
1015	7/13/2022	Inklings Printing Co.	GW newsletter, producer letter, instruction pamphlet	\$ 255.31	
1016	7/13/2022	Alex Pappas	June 2022 CMA stream monitoring & staff support	\$ 266.00	
1017	7/13/2022	Pacific Gas & Electric	June 2022 Electric Service	\$ 236.59	
1018	7/13/2022	Shirley Scales Bookkeeping	June 2022 GW Admin Service	\$ 5,548.00	
1019	7/13/2022	Staples	Replace broken printer	\$ 425.45	
1020	7/13/2022	Stetson Engineers	May 2022 Engineering Service	\$ 11,516.91	
1021	7/13/2022	Amber Thompson	Expense Reimbursement July 2021-June 2022 mileage	\$ 567.82	
1022	7/13/2022	US Bank Corp	June 2022 CalCard	\$ 989.38	
1023	7/13/2022	Valley Bookkeeping Services	June 2022 Bookkeeping	\$ 380.00	
1024	7/13/2022	Young Wooldridge	June 2022 Legal Service	\$ 26,569.46	
1025	7/13/2022	Lincoln Financial Group	401a Plan Implementation Fee (Initial Plan Set-up)	\$ 1,000.00	
1026	7/13/2022	SDRMA	July 2022 Insurance - Employee Benefits August 2022 Insurance - Employee Benefits	\$ 1,213.82	\$ 1,213.82
1027	7/13/2022	SDRMA	FY 2022-23 General Liability Premium	\$ 13,140.07	\$ 13,140.07
1028	7/13/2022	SDRMA	FY 2022-23 Workers Compensation Premium	\$ 5,639.14	\$ 5,639.14
ACH	7/18/2022	Payroll	July 1-15, 2022 Salary	\$ 10,314.65	\$ 10,314.65
ACH	7/18/2022	Employment Development Dept.	EDD Tax Deposit (July 1-15, 2022)	\$ 1,084.85	\$ 1,084.85
ACH	7/18/2022	Five Star Bank (Payroll Acct)	Payroll Tax Deposit (July 1-15, 2022)	\$ 5,784.69	\$ 5,784.69
ACH	7/20/2022	Lincoln Financial Group	457 Plan Employee Deferred Comp. (07/15/22) & Employer Match (partial due 07/15/22)	\$ 2,505.25	\$ 2,505.25
TOTAL				\$ 108,858.86	\$ 41,182.47
				FY 2021-22 \$ 67,676.39	
				FY 2022-23 \$ 41,182.47	

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT

MEMORANDUM

DATE: 7 September 2022

TO: Cynthia Allen Mark Altshuler Art Hibbits
Brett Marymee Steve Jordan Steve Torigiani
Kevin Walsh Amber Thompson

FROM: Bill Buelow, Groundwater Program Manager

SUBJECT: Groundwater Program Manager Report

AGENDA ITEM NO. 7

A. Groundwater Production, Reporting, and Charges

- 1) Receive Update on Groundwater Revenue for July to December 2021. The cumulative total of groundwater fees received from January 1, 2022, to present is \$290,132.01 for the second half of FY 21-22 groundwater reporting period.

Staff Recommendation: No action. This item is informational only.

B. SGMA Update

- 1) Multi-Agency Contracts with GSI Water Solutions. GSI was selected to review well permit verification requests for all three GSAs in the Santa Ynez Basin.

Staff from the four EMA member agencies agreed to a multi-party contract with GSI to process each well verification request. Attached is the proposed EMA contract. The signing agencies are the City of Solvang, ID No. 1 and SYRWCD. The County will continue to support the well verification process in the EMA but will not be a signatory to the contract due to timing and logistical constraints. Similar contracts are contemplated in the other two management areas (CMA and WMA).

Staff Recommendation: Authorize the General Manager to sign the GSI Water Solutions multi-party contracts.

Suggested Motion: Motion to direct the general manager to prepare and execute with the parties in substantially the form presented subject to any non-substantive changes as to the final form of Agreement approved by the district's general manager and legal counsel up to three limited multi-party contracts between the parties of each GSA and GSI Solutions to perform well verification work, as described in the scope of work prepared for each GSA.

- 2) Update on Executive Order N-7-22, requirement for Well Verifications. On March 28, 2022, Governor Newsome signed Executive Order N-7-22. Section 9 (a) of that order requires the well permitting agency (Santa Barbara County Environmental Health Services [EHS]) to first obtain a written verification from “*a Groundwater Sustainability Agency managing the basin or area of the basin where the well is proposed to be located that groundwater extraction by the proposed well would not be inconsistent with any sustainable groundwater management program established in any applicable Groundwater Sustainability*”

Member agency staff from each of the three GSAs prepared a process and together with staff from EHS agreed how verification requests will be processed between the County and the GSAs for the EMA, WMA and CMA.

The EMA approved their fee and process on July 22, 2022, the CMA on August 21, 2022, and the WMA on August 31, 2022. The process documents for all three GSAs are available at SantaYnezWater.org

Currently, the EMA has received two verification requests and deposits. There are permit requests pending with EHS for the CMA and WMA that have yet to be received by the GSAs. All verification requests will be held until contracts are executed with GSI.

Staff Recommendation: No action required. This item is informational only.

- 3) Update on SGMA Governance. The three GSAs received a letter from the Santa Ynez Water Group dated August 5, 2022, asking for consideration of an Agricultural Representative on the three GSAs. This issue will be further discussed by staff during the preparation of the draft JPA(s).

Staff Recommendation: No action required. This item is informational only.

AGREEMENT FOR SGMA RELATED SERVICES

THIS AGREEMENT FOR SGMA RELATED SERVICES (“Agreement”) is made as of the ____ day of September 2022, by and between the Santa Ynez River Water Conservation District (“District”), the City of Solvang (“City”), and the Santa Ynez River Water Conservation District, Improvement District No.1 (“ID No.1”), on the one hand, and GSI Water Solutions, Inc. (“Consultant”), on the other hand. All of the foregoing parties to this Agreement may be referred to herein collectively as the “Parties” or individually as a “Party.” This Agreement is entered into by and between the Parties with reference to the following facts:

A. The District, City, and ID No.1 (referred to herein collectively as the “GSA Parties” or individually as a “GSA Party”) are three of the members of the Eastern Management Area Groundwater Sustainability Agency (“EMA GSA”) pursuant to the April 27, 2017 Memorandum of Agreement for Formation of a Groundwater Sustainability Agency for the Eastern Management Area in the Santa Ynez River Valley Groundwater Basin under the Sustainable Groundwater Management Act. The Santa Barbara County Water Agency (“Water Agency”) is the fourth member of the EMA GSA. In January 2022, the EMA GSA duly adopted and approved a Groundwater Sustainability Plan (“GSP”) for the EMA in accordance with the Sustainable Groundwater Management Act (“SGMA”).

B. On March 28, 2022, California Governor Gavin Newsom issued Executive Order N-7-22 which, among other things, provides that agencies with well permitting authority, such as the County of Santa Barbara, shall not approve a permit for a new groundwater well or for alteration of an existing well in a basin subject to SGMA and classified as medium or high-priority without first obtaining written verification from the applicable GSA managing the basin or area of the basin where the well is proposed to be located that groundwater extraction by the proposed well (1) would not be inconsistent with any sustainable groundwater management program established in any applicable GSP adopted by that GSA, and (2) would not decrease the likelihood of achieving a sustainability goal for the basin covered by the GSP. The EMA GSA anticipates the possibility that requirements similar to those applicable to GSAs under Executive Order N-7-22 may be imposed through state law.

C. On July 21, 2022, the EMA GSA adopted certain documents as part of a process and framework for the EMA GSA to administer requests for written verifications pursuant to Executive Order N-7-22, wherein such process provides in part that upon the EMA GSA’s receipt of all required documentation, a request for a written verification will be reviewed to initially determine if it can be administered on an expedited basis, where expedited processing may apply to requests relating to water wells located outside a principal groundwater aquifer as defined in the EMA GSP, or to Replacement Wells meeting specified criteria, as defined by EHS and as determined by the EMA GSA, and where requests not subject to expedited review will undergo additional technical review by the EMA GSA to determine if groundwater extraction by the proposed well would be inconsistent with any sustainable groundwater management program established in the EMA GSP or would decrease the likelihood of achieving a sustainability goal for the basin covered by the GSP, and where such review of requests for written verification would be undertaken by a technical consultant to be retained on behalf of the EMA GSA.

D. Consultant is an independent engineering-consulting firm with extensive experience in the fields of geology, engineering, hydrogeology, and numeric groundwater modeling. Consultant prepared the GSP for the EMA GSA and therefore possesses the appropriate qualifications to provide technical review and support on behalf of the EMA GSA in connection with the GSA's administration of requests for written verifications under Executive Order N-7-22 and similar requirements that may be imposed through state law.

E. The GSA Parties, on behalf of and in coordination with the Water Agency and the EMA GSA, have decided to enter this Agreement with Consultant to perform the services provided for herein for the benefit of the EMA GSA, and Consultant has represented itself as being fully qualified and available to perform the services as described in this Agreement.

NOW, THEREFORE, IT IS AGREED that:

1. SERVICES BY CONSULTANT.

- a. Services. The GSA Parties retain Consultant to perform the services (Services) described in the Scope of Work and Cost Proposal attached hereto as Attachment "A." The GSA Parties will rely upon Consultant for performance and administration of all Services required to be performed under this Agreement. Notwithstanding anything in this Agreement or any of its attachments to the contrary, Consultant shall not hire any subcontractor to perform any of the Services required to be performed under this Agreement without the prior express written consent of the GSA Parties.
- b. Notwithstanding anything in this Agreement to the contrary, Consultant shall not be authorized to undertake any work and shall not be entitled to payment of any fees, costs, or expenses except as set forth in Attachment "A" absent the prior written approval of each of the GSA Parties and related modification to Attachment "A" or this Agreement in accordance with Paragraph 11(j) of this Agreement.
- c. The Consultant's Project Manager is responsible for coordinating the work efforts of Consultant to ensure completion of the Services within the required budget and schedule. Consultant shall designate a Project Manager and key personnel from its staff which shall be approved in writing by each of the GSA Parties, which personnel may be modified from time to time with written consent of the GSA Parties.
- d. Consultant agrees to perform the Services within the designated time frame or schedule described in Attachment "A" or as the Parties may otherwise mutually agree to in writing. Consultant shall diligently perform the obligations and responsibilities, including Services, required by this Agreement applying the degree and standards of skill and care used by other professionals in the same industry.
- e. Additional Services. The GSA Parties, on behalf of the EMA GSA, may determine that additional services by Consultant ("Additional Services")

are required during the course of the Agreement; provided, however, that any Additional Services, or any changes in any scope of work, cost, or schedule for any Services or Additional Services provided under this Agreement must receive prior written approval from each of the GSA Parties before any notice to proceed or other approval is provided to Consultant. In the event the GSA Parties request Additional Services, Consultant shall submit a written proposal detailing the Additional Services and cost proposal for the work to be performed. Consultant shall not proceed with any Additional Services until a written notice to proceed is received from the GSA Parties.

- f. Labor and Materials. Consultant shall furnish, at its own expense, all labor, materials, equipment, transportation, and services necessary for the successful completion of the Services. Consultant shall give its complete attention and supervision to the fulfillment of the provisions of this Agreement by its employees and shall be responsible for the timely performance of the Services.
- g. Review. Consultant shall furnish the GSA Parties with reasonable opportunities from time to time to ascertain whether the Services are being performed in accordance with this Agreement. All work products and materials furnished by Consultant shall be subject to final review and approval by the GSA Parties. Reviews and approvals by the GSA Parties as provided in this Paragraph 1(g) shall not relieve Consultant of any of its obligations under this Agreement.

2. TERM. This Agreement shall be effective as of the date of this Agreement and shall continue until the Services are complete, unless terminated earlier as provided in Paragraph 7 or 8 below.

3. COMPENSATION.

- a. Services. Consultant shall be compensated for the Services provided under this Agreement in accordance with the terms set forth in Attachment "A." Said compensation shall be paid monthly, based on Consultant's monthly billings which shall itemize in detail the name of the project to which the work applies, the name of the person doing the work, the hourly rate of the person doing the work, the description of the work performed, and the amount of time spent on the work performed.
- b. Invoices. Within thirty (30) days after the end of each month of the term of this Agreement, Consultant shall submit an invoice to District which shall include all details described in Paragraph 3(a) above. District, on behalf of the GSA Parties and the EMA GSA, shall pay Consultant the amount of each invoice(s) within sixty (60) days of its receipt and verification by the GSA Parties of Consultant's performance, which determination by the GSA Parties shall be binding and conclusive, yet shall not be unreasonably withheld. The records, invoices, receipts, and other documentation supporting Consultant's invoices shall be available for

review by the GSA Parties upon reasonable notice and shall be retained by Consultant for four (4) years after completion of the Services.

All accounting records shall be kept in accordance with generally accepted accounting principles. The GSA Parties shall have the right to audit and review all such documents and records at any time during Consultant's regular business hours or upon reasonable notice. In addition, if this Agreement exceeds ten thousand dollars (\$10,000.00), Consultant shall be subject to the examination and audit of the California State Auditor, at the request of the GSA Parties or as part of any audit of the GSA Parties, for a period of three (3) years after final payment under the Agreement (Govt. Code § 8546.7). Consultant shall participate in any audits and reviews, whether by the GSA Parties or the State, at no charge to the GSA Parties or the EMA GSA.

- c. Taxes/Insurance/Licenses. Consultant shall be solely responsible for the payment of any federal, state, or local income tax, social security tax, workers' compensation insurance, state disability insurance, and any other taxes or insurance which Consultant is responsible for paying as an independent contractor under federal, state, or local law. Consultant shall procure and maintain all licenses necessary for the performance of the Services, including, without limitation, business licensing, all at the sole cost of Consultant.
- d. Termination. If the Services of Consultant are terminated, in whole or in part, Consultant shall be compensated for all authorized Services performed prior to such termination.

4. INSURANCE.

- a. Comprehensive General Liability. Consultant shall procure and/or maintain in full force and effect during the performance of any Services or Additional Services pursuant to this Agreement, comprehensive general liability and property damage insurance covering Consultant's performance under this Agreement in an amount of not less than Two Million Dollars (\$2,000,000), combined single limit coverage.
- b. Workers' Compensation. Consultant shall procure and/or maintain in full force and effect during the performance of any Services or Additional Services pursuant to this Agreement, workers' compensation insurance covering its employees in Consultant's performance under this Agreement.
- c. Professional Liability. Consultant shall procure and/or maintain in full force and effect during the performance of any Services or Additional Services pursuant to this Agreement, professional liability insurance in an amount not less than One Million Dollars (\$1,000,000) coverage.

- d. General Provisions. Prior to the performance of any Services or Additional Services under this Agreement and at any time thereafter, Consultant shall provide the GSA Parties with Certificates of Insurance evidencing the above coverages and listing each of the GSA Parties and the EMA GSA, as additional insureds. Each Certificate of Insurance shall provide thirty (30) days' advance written notice to the GSA Parties of any change or cancellation of insurance that is required under this Paragraph. The foregoing insurance coverages shall not limit the indemnification obligations of Consultant as set forth in Paragraph 6 below, and the failure by Consultant to maintain said coverages shall constitute a material breach of this Agreement. The insurance provisions of this Agreement shall apply to any of Consultant's subcontractors unless waived or modified in writing by the GSA Parties and other listed insureds as applicable under this Paragraph 4(d).

5. INTERESTS OF CONSULTANT. Consultant represents and warrants to the GSA Parties that it presently has no interests, and covenants that it shall not acquire any interests, direct or indirect, financial or otherwise, which would conflict with the performance of any Services or Additional Services to be provided by Consultant under this Agreement. Consultant further covenants that in the performance of this Agreement, no employee having such an interest shall be employed by Consultant. Consultant certifies that no one who has or will have any financial interest under this Agreement or within Consultant is an officer or employee of any of the GSA Parties.

6. INDEMNIFICATION. Consultant and any of its subcontractors (if any) shall indemnify, defend, and hold harmless each of the GSA Parties, the EMA GSA, and their respective directors, elected officials, officers, employees, consultants, attorneys, agents, and assigns, from and against any and all claims, demands, causes of action, suits, losses, judgments, liabilities, expenses and costs, including, without limitation reasonable attorneys' fees and costs, to the extent caused by negligent errors or omissions, recklessness, or willful misconduct of Consultant, or any of its subcontractors, or any of their respective owners, directors, officers, employees, consultants, attorneys, agents, or assigns in the performance or failure of performance of any professional services pursuant to this Agreement.

Additionally, to the fullest extent permitted by law, Consultant and its subcontractors (if any) shall hold harmless, indemnify, and defend each of the GSA Parties, the EMA GSA, and their respective directors, elected officials, officers, employees, consultants, attorneys, agents, and assigns, from and against any and all claims demands, causes of action, suits, losses, judgments, liabilities, expenses, and costs, including without limitation reasonable attorneys' fees and costs, arising or alleged to have arisen out of injury to any persons, including death, or damage to any property arising or alleged to have arisen from the performance or failure of performance, whether negligent, intentional or otherwise, of any non-design professional services, acts, omissions, or business operation of Consultant, or of any of its subcontractors, or of any of their respective owners, directors, officers, employees, consultants, attorneys, agents, or assigns, pursuant to this Agreement.

7. TERMINATION.

- a. Termination Without Cause. Either the GSA Parties or Consultant may terminate this Agreement for any reason by giving at least fifteen (15) days prior written notice of such termination; provided, however, that any termination decision by the GSA Parties pursuant to this Paragraph 7(a) must receive prior written consent from each of the GSA Parties, which consent shall not be unreasonably withheld. Such termination shall not relieve the GSA Parties from responsibility for payment for authorized Services rendered by Consultant prior to the effective date of termination.
- b. Termination With Cause. The GSA Parties may terminate this Agreement with cause, effective immediately upon written notice of such termination to Consultant, based upon the occurrence of any of the following events: the material breach of this Agreement by Consultant; the failure of Consultant to substantially comply with any applicable federal, state, or local law or regulation; the filing by or against Consultant of any petition under any law for the relief of debtors; or the filing of a criminal complaint against Consultant for any crime, other than minor traffic offenses; provided, however, that any termination decision by the GSA Parties pursuant to this Paragraph 7(b) must receive prior written consent from each of the GSA Parties, which consent shall not be unreasonably withheld.
- c. Completed Work. In the event of termination under Paragraph 7(a) or 7(b) above, Consultant shall promptly surrender to the GSA Parties all completed work and work in progress and all materials, records, and notes developed, procured, or produced pursuant to this Agreement. Consultant may retain copies of such work product as a part of its record of professional activity.

8. WITHDRAWAL. Any GSA Party may unilaterally withdraw from this Agreement, with or without cause, by providing at least fifteen (15) days written notice to the other GSA Parties. Upon withdrawal by a GSA Party, this Agreement shall remain in full force and effect for the remaining GSA Parties and Consultant.

9. REPORTS AND DOCUMENTS. All materials or documents prepared or used to prepare Consultant's work product under this Agreement ("Consultant's Work Product") shall be the shared property of the GSA Parties and shall be turned over to the GSA Parties upon completion or termination of this Agreement. The GSA Parties may use, duplicate, disclose and/or disseminate, in whole or in part, in any manner they collectively deem appropriate, Consultant's Work Product.

10. CONFIDENTIAL AND PRIVILEGED INFORMATION. During the term of this Agreement and thereafter, Consultant shall not, directly or indirectly, use, exploit, disclose or divulge to anyone, except authorized representatives of the GSA Parties, any of Consultant's Work Product that is designated as confidential and privileged by the GSA Parties. Consultant shall comply with any applicable confidentiality agreements with respect to any confidential and privileged information provided to Consultant.

11. GENERAL PROVISIONS.

- a. Notices. All notices, requests, demands, and other communications under this Agreement shall be in writing and shall be deemed to have been given on the date of service if personally served or on the second day after mailing if mailed by first-class mail, registered or certified, return receipt requested, postage prepaid, and properly addressed as follows:

To District: General Manager
Santa Ynez River Water Conservation District
P.O. Box 719 (3669 Sagunto Street, Suite 101)
Santa Ynez, CA 93460
(805) 693-1156

To City: City Manager
City of Solvang
1644 Oak Street
Solvang, CA 93463
(805) 686-5575

To ID No.1: General Manager
Santa Ynez River Water Conservation District,
Improvement District No.1
P.O. Box 157 (3622 Sagunto Street)
Santa Ynez, CA 93460
(805) 688-6015

To Consultant: Jeff Barry, Principal
GSI Water Solutions, Inc.
5855 Capistrano Avenue, Suite C
Atascadero, CA 93422
(805) 895-3956

Any Party may change their address for the purpose of this paragraph by giving the other Parties written notice of the new address in the above manner.

- b. Independent Contractor. The Parties, in the performance of this Agreement, will be acting in an independent contractor relationship and not as agents, employees, partners, or joint venturers of one another. It is the express intention of the Parties that Consultant is an independent contractor and not the employee of any of the GSA Parties, that the employees of Consultant are not employees of any of the GSA Parties and are not entitled to any of the rights, benefits, or privileges attributable to employees of any of the GSA Parties. Consultant shall have the control of the means, methods, and details of performing its work under this Agreement and shall only be subject to the general direction and supervision of the GSA Parties to ensure the results contracted for are achieved.

- c. Labor Code Compliance and other Requirements. Consultant shall abide by all applicable federal and California laws, regulations, and requirements regarding wages.

Consultant shall defend, indemnify, and hold harmless each of the GSA Parties, the EMA GSA, and each of their respective directors, elected officials, officers, employees, consultants, attorneys, agents, and assigns, from and against any and all claims, suits, damages, losses, and expenses, including but not limited to reasonable attorneys' fees and costs in defense thereof, that are brought by, or due to, employees of Consultant or employees of any Consultant's subcontractors, including but not limited to wages, overtime compensation, or other payments due to any such employees under this Agreement.

- d. Assignment. This Agreement shall not be assigned by Consultant to any third party without the prior written consent of each of the GSA Parties, which consent shall not be unreasonably withheld. Any attempted assignment without said required approvals shall be voidable at the option of the GSA Parties.
- e. Waiver. No waiver of a provision of this Agreement shall constitute a waiver of any other provision, whether or not similar. No waiver shall constitute a continuing waiver. No waiver shall be binding unless executed in writing by the Party making the waiver.
- f. Construction of Terms. All parts of this Agreement shall in all cases be construed according to their plain meaning and shall not be construed in favor or against any of the Parties. If any term, provision, covenant, or condition of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, in whole or in part, the remainder of this Agreement shall remain in full force and effect and shall not be affected, impaired, or invalidated. In the event of such invalidity, voidness, or unenforceability, the Parties agree to enter into supplemental agreements to effectuate the intent of the Parties and the purposes of this Agreement.
- g. Controlling Law. This Agreement shall be construed in accordance with and governed by the laws of the State of California, with venue for any litigation related to this Agreement proper only in the County of Santa Barbara, State of California or, if properly filed in federal court, the federal court closest to the County of Santa Barbara.
- h. Authorization. Each Party represents and warrants that the individual(s) executing this Agreement and other documents under this Agreement on behalf of that Party has the capacity and has been duly authorized to execute said document(s) on behalf of the Party indicated.
- i. Entire Agreement. This Agreement and any amendments hereto entered in accordance with this Agreement constitute the entire agreement between the Parties pertaining to the Services or Additional Services and

supersedes all prior and contemporaneous agreements, representations, and understandings of the Parties. In accordance with Paragraph 1, above, this Agreement and any attachments thereof may be altered, amended, or modified only by a supplemental writing executed by the Parties to this Agreement and by no other means. Each Party waives their future right to claim, contest, or assert that this Agreement was modified, cancelled, superseded, or changed by any oral agreement, course of conduct, waiver, or estoppel.

- j. This Agreement is a separate independent contract for the purposes set forth herein and this Agreement does not replace or supersede any prior, existing, or future contract(s) between Consultant and any of the GSA Parties.
- k. Nothing in this Agreement is intended or shall be construed as creating third party beneficiaries or third party standing, except as to the rights and benefits recognized herein with regard to the EMA GSA, which is a third party beneficiary of this Agreement and has third party standing with regard to its respective rights and benefits conferred by this Agreement.
- l. This Agreement may be executed in counterparts.
- m. Consultant certifies that it and its employees and principals are not debarred, suspended, or otherwise excluded from or ineligible for, participation in federal, state, county, or local government contracts. Consultant certifies that it shall not contract with any subcontractor that is so debarred or suspended.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date first written above.

**SANTA YNEZ RIVER WATER
CONSERVATION DISTRICT**

CITY OF SOLVANG

By: _____
Kevin Walsh
General Manager

By: _____
Xenia Bradford
City Manager

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

GSI WATER SOLUTIONS, INC.

By: _____
Paeter Garcia
General Manager

By: _____
Jeff Barry
Principal



PROPOSAL

Scope and Cost for Review of New and Replacement Well Applications in the Santa Ynez River Valley Groundwater Basin, Eastern Management Area (EMA)

To: Matt Young, County of Santa Barbara
From: Tim Nicely and Jeff Barry, GSI Water Solutions, Inc.
Date: June 13, 2022

At your request, we have prepared this brief scope and estimated budget to review, on behalf of the Groundwater Sustainability Agency (GSA), requests by applicants requesting a permit from the County of Santa Barbara Department of Environmental Health Services (EHS) for a new or replacement well within the EMA. The GSA is required by Governor Newsom’s Executive Order N-7-22 and the County Board of Supervisors Urgency Ordinance dated May 24, 2022 to review well construction and modification permit applications to determine whether or not a written verification can be provided that groundwater extraction by the proposed new or replacement well¹

1. would be “inconsistent with any sustainable groundwater management program” established by the Groundwater Sustainability Plan (GSP) adopted by that GSA, and
2. would decrease the likelihood of achieving a sustainability goal for the basin covered by such GSP.

Details of our proposed scope of work for the review of permit applications for new and replacement wells is presented as follows.

Scope of Work

The scope of work for reviewing new or replacement well applications includes providing a verification on behalf of the GSA that constitutes the required “qualitative review that the proposed well is not inconsistent with the GSP” in response to the requirements of the Executive Order N-7-22. The scope of work includes the following activities:

- Examine the proposed well construction information and assess whether the well is located within the EMA.
- Determine whether the geologic setting and aquifer that the well would be completed in would be within in a Principal Aquifer that is managed by the GSA (in this case the Paso Robles Formation or Careaga Sand).

¹ New wells are those resulting in new or additional groundwater production from the EMA portion of the Basin, or those resulting in new or additional production capacity. Replacement wells are those not resulting in new or additional groundwater production or production capacity in the EMA portion of the Basin.

- Assess groundwater conditions (e.g., water level elevations and trends, water quality) and rainfall conditions in the preceding water years in the entire EMA and within the vicinity of the proposed well site.
- Evaluate whether the well would increase production within the EMA. Based on this, it will be determined whether the new or replacement well would likely cause an exceedance of minimum thresholds and cause undesirable results measured at representative wells as defined in the GSP for:
 - Chronic water level decline
 - Reduction of groundwater in storage
 - Degradation of water quality
 - Subsidence
 - Depletion of interconnected surface water and impacts to GDEs
- For replacement wells, assess whether the pumping capacity of the replacement well will be a “like for like” replacement with regards to production volume relative to the original well. Information that will be reviewed includes:
 - Planned pumping rate of the replacement well and estimated or measured flow rate of the original well
 - Pump curves for both the original well pump and new pump
 - If a pump curve is not available, pump type, number of bowls, pump diameter, pump horsepower, RPM, assumed lift
 - System pressure in the discharge line and total pressure head
 - Well construction details for the proposed new well and original well including total depth, perforated or screened intervals, well diameter.
 - Estimated groundwater levels at the time of the application and at the time the original well was completed.
- Review that the proposed use of the well is consistent with the proposed location and design capacity
- Prepare a technical memorandum to the GSA that documents the information that was reviewed, presents findings from the evaluation, provides an opinion regarding the verification of consistency with the sustainability goal within the EMA, and provides a list of conditions, if warranted.

Budget Estimate

The estimated cost to complete the scope of work described in this memorandum is \$1,200. The work will be completed on a time and materials basis at a blended rate of \$200 per hour. Should additional time be required to complete the review, the GSA will be notified, and if approved by the GSA the work will be conducted on a time and materials basis at the hourly rate shown above.

Indemnification and Limitations of Liability

GSI does not warrant or guarantee that the new or replacement well will produce the expected amount of water nor that the GSA will not require that the extraction from the well be reduced in the future in accordance with its authority to manage the groundwater basin within the sustainability goal presented in Section 5.2 of the EMA’s GSP.

GSI is not responsible for or otherwise liable for any costs, investments, lost revenue, or payments related to any groundwater well permitted or not permitted by the County pursuant to this application, including well drilling costs, pumping fees, extraction limits, costs related to well failure, well deepening, increased maintenance, replacement, or operational costs.

The GSA's issuance of a written verification and the County's issuance of a well permit to Applicant does not guarantee the extraction of any specific amount of water now or in the future or any defined water level or water quality.

The GSA and the Santa Ynez River Water Conservation District agrees to hold GSI harmless and indemnify GSI for any liability stemming from the findings presented in the GSI report or related to the County issuing or not issuing a well permit in response the Application or to the GSA issuance of a written verification related to the well permit.