

MEETING MINUTES

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT

A special meeting of the Board of Directors of the Santa Ynez River Water Conservation District was held on Wednesday, September 25, 2019, at the Buellton City Council Chambers, 140 West Highway 246, Buellton, California.

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

Others Present: General Manager Kevin Walsh, Groundwater Program Manager Bill Buelow, Legal Counsel Steve Torigiani, District Administrator Amber Thompson, and 2 members of the public

I. CALL TO ORDER AND ROLL CALL

President Allen called the meeting to order at 6:30 p.m. Mr. Buelow called the roll. All Directors were present.

II. PLEDGE OF ALLEGIANCE

President Allen led the Pledge of Allegiance.

III. ADDITIONS, IF ANY, TO THE AGENDA

There were no additions to the agenda.

IV. PUBLIC COMMENT

There was no public comment.

V. APPROVAL OF MINUTES

Mr. Buelow submitted the minutes of the regular meeting of June 05, 2019 for Board approval. Director Hibbits suggested that on future minutes any Public Comments be summarized in the minutes not just a record of who spoke. After discussion, all Directors agreed to that suggestion. Director Hibbits made a MOTION to approve both sets of minutes. Director Marymee seconded the motion and it passed unanimously.

VI. GENERAL MANAGER REPORT

A. Appointment of Board Secretary

Mr. Walsh recommended Ms. Amber Thompson be appointed as Secretary to the Board and noted that Mr. William Buelow would remain as Treasurer. Director Jordan made a MOTION to appoint Ms. Thompson as the Secretary to the Board. The motion was seconded by Director Hibbits and was passed 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. Surface Water Report

Mr. Walsh reported there was a Gin Chow release of 586 acre-feet in June. Rainfall this year in the watershed was above average and brought the lake up to 81% of capacity. If the lake had been at historical average levels prior to the rainfall, then a spill event would have occurred. Because the Above (ANA) and Below (BNA) Narrows alluvial groundwater basins were recovering nicely, and the credits in Lake Cachuma would be more valuable in a future dry year than in this current year, a decision was made to not make a water rights release this summer.

Mr. Walsh reported the Above Narrows dewatered storage held steady through August, particularly in the Buellton and Santa Rita sub-areas although the Santa Ynez sub-area dropped some. The ANA credit is 15,546.2 acre-feet. The BNA credit is 4,098.0 acre-feet. Depending upon rainfall this next winter season, a combined ANA/BNA release could be made next summer. We will wait and see actual precipitation since El Niño Southern Oscillation (ENSO) report data does not point in any one particular direction with regard to a dry year or wet year.

Mr. Walsh noted that SYRWCD does not participate financially in cloud seeding. The County has indicated that the program may tentatively resume in the winter of 2020-21, depending on the recovery of the watershed and other factors.

C. Financial Report

a. FY 2018-19 Financial Reports

The Board briefly reviewed the financial reports for May and June 2019. Mr. Walsh reviewed notable differences between Budget and Actuals for Period 12 year-end FY 2018-2019. Revenues exceeded Budget by 3.3%. This was primarily due to a drier than average year causing increased water use and therefore increased Pump Charges revenue. Total Operations Expenses were less than Budget by 2.5%. SGMA Expenses were lower than Budget due to significant work not getting under-way until after the end of the fiscal year. These budgeted expenses were not avoided, just delayed until the following fiscal year(s). Total Legal Expenses were under Budget by 16.6%. Efforts on the Fisheries issues on the River and on the Water Rights Order began in earnest later in the year than expected. These budgeted expenses were not avoided, just delayed until the following fiscal year. Total

Engineering Expenses were under Budget by 22.0%. The largest item to account for this was the water rights release, which did not occur. HR Contingencies were unbudgeted at \$31,628.61.

Mr. Walsh presented the 4th Quarter Investment Report. Mr. Walsh said investments were made in accordance with policy and sufficient funds are available to meet District obligations in accordance with law.

b. FY 2019-20 Financial Reports

The Board briefly reviewed the financial reports for July and August 2019. Mr. Walsh reviewed notable differences between Budget and Actuals for Period 2 Year-to-Date FY 2019-2020. While Period 2 year-to-date Revenues were greater than Budget, and expenses were less than Budget, these do not indicate trends. We are expecting that both Revenues and Expenses for 2019-20 will be at budgeted amounts for each category at year-end. It is expected that there will be some expenditures from contingencies this year to create a Conference Room within the existing office space.

c. Warrants

The Board briefly reviewed the Warrant Lists for June, July, August, & September 2019. Director Marymee made a MOTION to ratify the Warrants as presented (nos. 4744-4867). Director Hibbits seconded and the motion was passed unanimously.

d. Consideration of Resolution No. 693: Authorizing Investment of Monies in Local Agency Investment Fund (LAIF) – Authorization transition successors

Director Jordan waived reading of the Resolution and MOVED to adopt Resolution No. 693, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA YNEZ RIVER WATER CONSERVATION DISTRICT AUTHORIZING INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND.

The motion was seconded by Director Altshuler and the resolution was adopted and passed by the following roll call vote:

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

D. Consideration of Resolution No. 694: Designating an Office Location and Time and Place of Regular Meetings

Director Hibbits waived reading of the Resolution and MOVED to adopt Resolution No. 694, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA YNEZ RIVER WATER CONSERVATION DISTRICT DESIGNATING AN OFFICE LOCATION AND TIME AND PLACE OF REGULAR MEETINGS.

The motion was seconded by Director Marymee and the resolution was adopted and passed by the following roll call vote:

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

E. State Water Resources Control Board meeting on September 17, 2019 regarding Order Amending Cachuma Project Permit Nos. 11308 & 11310

Mr. Walsh reviewed the State Water Resources Control Board's Media Release dated September 17, 2019 titled "State Water Board Adopts Order Protecting Endangered Steelhead and Senior Water Right Holders Impacted by the Cachuma Reservoir Project" and the accompanying Facts Sheet titled "State Water Board Adopts Revised Order for Cachuma Project in Santa Barbara County; Order will Improve Water Conditions for Survival of Migrating Fish". It calls for increased releases downstream for fish which costs everyone some water. Staff estimates a loss of only a couple hundred acre-feet or less of water to the District due to the revised order. As a positive note, the Order does include the 2002 Settlement Agreement.

VII. GROUNDWATER PROGRAM MANAGER REPORT

A. Sustainable Groundwater Management Act (SGMA) Update

Mr. Buelow reviewed the District's SGMA efforts. Individual plans are being developed for the three Management Areas, Eastern, Central and Western areas and are due in January 2022. The District was awarded a \$1 million grant through Prop 1 funds to help pay for developing these plans. The first Quarterly Progress Report and Invoice was submitted to State of California, Department of Water Resources (DWR) for our Prop 1 Grant award in July 2019. This first Progress Report and Invoice included a compilation of all efforts from 2015 through June 2019 so it was rather lengthy and included approximately \$47,000 of reimbursable expenses plus extensive cost share amounts toward the grant required 50% cost match (\$1.5 million total). DWR approved the full

reimbursement of approximately \$47,000 plus \$138,000 in advanced funds based on the percentage of cost share provided. These advanced funds will be held in a separate Money Market account owned by the District for SGMA efforts only until costs are incurred and funds will then be transferred to the appropriate GSA checking account as needed.

Mr. Buelow reported the Stakeholder Engagement Plan and Data Management Plan for all three management areas have been created by consultants, presented to the respective GSA Committees, released to the public for a 60-day public review and can be found on the District website. The Citizen Advisory Groups (CAG) for all three management areas are established and reviewing the plans.

Mr. Buelow advised that staff is considering applying for a grant through Prop. 68. These funds could be used for anything not already funded with the Prop. 1 Grant.

B. Semi-annual Groundwater Pump Charge Program Update

Mr. Buelow reported that during the first period of Fiscal Year 2019-20, the District has received approximately \$247,000 and expects to receive close to \$250,000 during this round of Groundwater Pump Charge collection. Staff expects the fiscal year collection total should be close to the budgeted amount.

Mr. Buelow advised staff is researching adding the capability to accept credit card payments at no or low cost to consumer. Information is being collected from various agencies and vendors for this service. After discussion, the Board directed staff to continue process in order to add this capability.

Ms. Komoroske asked if everyone with a well is supposed to self-report to the District and does the District coordinate with the County when a new well is permitted to be drilled. Mr. Buelow advised if a well is located in the District boundaries then they should be self-reporting groundwater pumping and that no automatic coordination exists between the District and the county when well drilling permits are obtained. The District does receive a list of all permits for well drilling from the County and staff is currently following up registering any wells not already in the District's system. Ms. Komoroske asked if the Chumash Tribe is required to report groundwater pumping. Mr. Buelow advised that the Reservation gets water from ID No. 1 and the Camp 4 property is located outside the boundaries of the District so is not subject to reporting well pump data to the District.

VII. ATTORNEY REPORT

Mr. Torigiani reported AB200, the Safe Drinking Water Fund bill, was passed. No water taxes were passed.

Mr. Torigiani advised that California legislators are in debate on SB1 which currently affects the Delta but could, in the future, affect the Cachuma Project.

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

President Allen will not be available for the December 4, 2019 regular meeting.

Director Marymee requested a comparison of director stipends for other water boards as SYRWCD stipends appear to be the lowest.

Director Marymee suggested looking into automation of Board Packages to move away from using so much paper and move toward more electronic means like board packets on ipads for Directors. Director Altshuler suggested staff bring a laptop, projector and screen to project all Board Packet materials during meetings for all in attendance.

X. REQUEST FOR ITEMS TO BE INCLUDED ON THE NEXT AGENDA

No requests were made for items to be included in the next agenda. The next Board meeting is scheduled as regular meeting for December 4, 2019.

XI. CLOSED SESSION

The Board adjourned into Closed Session at 7:50 p.m. to discuss the following topics:

- A. Conference with Legal Counsel – Existing litigation (Government Code section 54956.9, subd. (d)(1)) relating to quasi-adjudicatory and other 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; and proposed changes to the place and purpose of use of waters obtained through aforementioned permits for the Cachuma Project; and proceedings related to SWRCB Permit No. 15878 held by the City of Solvang.
- B. Conference with Legal Counsel - Anticipated Litigation: Significant exposure to litigation (Government Code section 54956.9, subd. (d)(2)): One Claim
- C. Conference with Legal Counsel – Anticipated Litigation: Possible initiation of litigation (Government Code section 54956.9, subd. (d)(4) (one item).

The Board emerged from Closed Session at 8:34 p.m.

XII. RECONVENE OPEN SESSION/REPORT FROM CLOSED SESSION

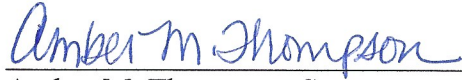
Open session reconvened at 8:34 p.m. President Allen reported that on MOTION by Director Hibbits, seconded by Director Marymee, and unanimously approved, the Board of Directors rejected one government claim and directed staff to send a notice of rejection of such claim.

XIII. ADJOURNMENT

There being no further business, President Allen MOVED to adjourn the meeting at 8:35 p.m.



Brett Marymee, Vice- President



Amber M. Thompson, Secretary