



**REGULAR MEETING
OF THE
CACHUMA OPERATION AND MAINTENANCE BOARD**

**Monday, January 23, 2023
1:00 P.M.**

BY TELECONFERENCE

NOTICE: Pursuant to California Government Code sections 54953(b)(1), (b)(2), (e)(1) and (e)(3) (AB 361), members of the Cachuma Operation & Maintenance Board (COMB) Board of Directors, staff, and members of the public will participate in this meeting electronically by video and/or teleconference, as described below.

HOW TO OBSERVE THE MEETING

Members of the public may observe the meeting as set forth below.

Join via Video Conference

<https://us02web.zoom.us/j/85872851653?pwd=VStENDUwQWw3MGRaVkZTTDBkeWxuZz09>

Passcode: 551801

Join via Teleconference

US: +1 669 900 6833 Webinar ID: 858 7285 1653 Passcode: 551801

HOW TO MAKE A PUBLIC COMMENT

Any member of the public may address the Board on any subject within the jurisdiction of the Board of Directors. The total time for this item will be limited by the President of the Board. The Board is not responsible for the content or accuracy of statements made by members of the public. No action will be taken by the Board on any Public Comment item.

By Video: Those observing the meeting by video may make comments during designated public comment periods using the “raise hand” feature. Commenters will be required to unmute their respective microphone when providing comments.

By Telephone: Those observing the meeting by telephone may make comments during the designated public comment periods by pressing *9 on the key pad to indicate such interest. Commenters will be prompted to press *6 to unmute their respective telephone when called upon to speak.

AMERICANS WITH DISABILITIES ACT

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 Cachuma Operation and Maintenance Board office at (805) 687-4011 at least 48 hours prior to the meeting to enable the Board to make reasonable arrangements.

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OF THE
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Monday, January 23, 2023

1:00 PM

AGENDA

NOTICE: This Meeting shall be conducted through remote access as authorized and in accordance with Government Code section 54953 and the California Governor's Executive Orders N-08-21, N-15-21 and as amended by AB 361.

- 1. CALL TO ORDER, ROLL CALL**
- 2. PUBLIC COMMENT** *(Public may address the Board on any subject matter within the Board's jurisdiction. See "Notice to the Public" below.)*
- 3. CONSENT AGENDA** *(All items on the Consent Agenda are considered to be routine and will be approved or rejected in a single motion. Any item placed on the Consent Agenda may be removed and placed on the Regular Agenda for discussion and possible action upon the request of any Board Member.)*
Action: Recommend Approval of Consent Agenda by motion and roll call vote of the Board:
 - a. Minutes of December 19, 2022 Regular Board Meeting
 - b. Investment of Funds
 - Financial Reports
 - Investment Reports
 - c. Review of Paid Claims
- 4. VERBAL REPORTS FROM BOARD COMMITTEES**
Receive verbal information regarding the following committee meetings:
 - Operations Committee Meeting – January 18, 2023
- 5. RESOLUTION NO. 772 – CONFIRMATION OF LOCAL EMERGENCY - ACKNOWLEDGEMENT OF GOVERNOR NEWSOM'S DECLARED STATE OF EMERGENCY (HEALTH AND SAFETY)**
Action: Recommend adoption by motion and roll call vote of the Board
- 6. RESOLUTION NO. 773 – JANUARY 2023 STORMS – DECLARATION OF EMERGENCY**
Action: Recommend adoption by motion and roll call vote of the Board
- 7. STATE OF CALIFORNIA – DIVISION OF DRINKING WATER (DDW) PERMIT FEES**
Action: Approve expenditures associated with the State of California Division of Drinking Water Permit as outlined in the staff memorandum
- 8. RESOLUTION NO. 774 – CROSS CONNECTION CONTROL POLICY**
Action: Recommend adoption by motion and roll call vote of the Board

- 9. RESOLUTION NO. 775 - LAKE CACHUMA EMERGENCY PUMPING FACILITY SECURED PIPELINE PROJECT – STATUS REPORT / APPROVAL OF ADDITIONAL EXPENDITURES**
Action: Receive information on the Lake Cachuma Emergency Pumping Facility Project and recommend adoption by motion and roll call vote of the Board.
- 10. GENERAL MANAGER REPORT**
Receive information from the General Manager on topics pertaining to COMB, including but not limited to the following:

 - Administration
- 11. ENGINEER’S REPORT**
Receive verbal information from the COMB Engineer, including but not limited to the following:

 - Climate Conditions
 - Lake Elevation Projections
 - Infrastructure Improvement Projects Update
- 12. OPERATIONS DIVISION REPORT**
Receive verbal information regarding the Operations Division, including but not limited to the following:

 - Lake Cachuma Operations
 - Operation and Maintenance Activities
- 13. FISHERIES DIVISION REPORT**
Receive information from the Fisheries Division Manager, including, but not limited to the following:

 - LSYR Steelhead Monitoring Elements
 - Tributary Project Updates
 - Surcharge Water Accounting
 - Reporting/Outreach/Training
- 14. PROGRESS REPORT ON LAKE CACHUMA OAK TREE PROGRAM**
Receive information regarding the Lake Cachuma Oak Tree Program including but not limited to the following:

 - Maintenance and Monitoring
- 15. MONTHLY CACHUMA PROJECT REPORTS**
Receive information regarding the Cachuma Project, including but not limited to the following:

 - a. Cachuma Water Reports
 - b. Cachuma Reservoir Current Conditions
 - c. Lake Cachuma Quagga Survey
- 16. CALENDAR YEAR 2023 COMB REGULAR BOARD MEETING SCHEDULE**
Action: Recommend approval by motion and roll call vote of the Board
- 17. DIRECTORS’ REQUESTS FOR AGENDA ITEMS FOR FUTURE MEETING**

18. [CLOSED SESSION]: CONFERENCE WITH LEGAL COUNSEL: POTENTIAL LITIGATION

- a. [Government Code Section 54956.9(d)(1)]
Name of matter: *Kimball-Griffith L.P. v. Brenda Wren Burman, et al.*, Case No. 2:20-cv-10647
– Request for Declaratory and Injunctive Relief
- b. [Government Code Section 54956.9(d)(1)]
Name of matter: *Stephen Timothy Buynak, Jr. and Gloria Ann Buynak, as Trustees of the Buynak 1991 Family Revocable Trust v. United States Department of the Interior, et al.*, Case No. 2:22-cv-07271 – Complaint For Injunctive and Declaratory Relief to Enforce Plaintiffs’ Riparian Water Rights
- c. Potential Litigation: Conference with Legal Counsel

19. RECONVENE INTO OPEN SESSION

[Government Code Section 54957.7]
Disclosure of actions taken in closed session, as applicable
[Government Code Section 54957.1]

- 18a. Name of matter: *Kimball-Griffith L.P. v. Brenda Wren Burman, et al.*, Case No. 2:20-cv-10647
– Request for Declaratory and Injunctive Relief
- 18b. [Government Code Section 54956.9(d)(1)]
Name of matter: *Stephen Timothy Buynak, Jr. and Gloria Ann Buynak, as Trustees of the Buynak 1991 Family Revocable Trust v. United States Department of the Interior, et al.*, Case No. 2:22-cv-07271 – Complaint For Injunctive and Declaratory Relief to Enforce Plaintiffs’ Riparian Water Rights
- 18c. Potential Litigation: Conference with Legal Counsel

20. MEETING SCHEDULE

- **Regular Board Meeting – February 27, 2023 at 1:00 PM**
- **Board Packages available on COMB website www.cachuma-board.org**

21. COMB ADJOURNMENT

NOTICE TO PUBLIC

Posting of Agenda: This agenda was posted at COMB’s offices, located at 3301 Laurel Canyon Road, Santa Barbara, California, 93105 and on COMB’s website, in accordance with Government Code Section 54954.2. The agenda contains a brief general description of each item to be considered by the Governing Board. The Board reserves the right to modify the order in which agenda items are heard. Copies of staff reports or other written documents relating to each item of business are on file at the COMB offices and are available for public inspection during normal business hours. A person with a question concerning any of the agenda items may call COMB’s General Manager at (805) 687-4011.

Written materials: In accordance with Government Code Section 54957.5, written materials relating to an item on this agenda which are distributed to the Governing Board less than 72 hours (for a regular meeting) or 24 hours (for a special meeting) will be made available for public inspection at the COMB offices during normal business hours. The written materials may also be posted on COMB’s website subject to staff’s ability to post the documents before the scheduled meeting.

Public Comment: Any member of the public may address the Board on any subject within the jurisdiction of the Board. The total time for this item will be limited by the President of the Board. The Board is not responsible for the content or accuracy of statements made by members of the public. No action will be taken by the Board on any Public Comment item.

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Note: If you challenge in court any of the Board’s decisions related to the listed agenda items you may be limited to raising only those issues you or someone else raised at any public hearing described in this notice or in written correspondence to the Governing Board prior to the public hearing.