

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

**Monday, January 23, 2023
1:00 PM**

1. CALL TO ORDER, ROLL CALL

The regular meeting of the Board of Directors was called to order by President Holcombe at 1:00 PM.

All attendees participated electronically pursuant to California Government Code sections 54953(b)(1), (b)(2), (e)(1) and (e)(3) (AB 361).

Directors Present:

Polly Holcombe, Carpinteria Valley Water District
Kristen Sneddon, City of Santa Barbara
Lauren Hanson, Goleta Water District
Cori Hayman, Montecito Water District

General Counsel Present:

William Carter - Musick, Peeler, Garrett, LLP

Staff Present:

Janet Gingras, General Manager
Edward Lyons, Administrative Manager/CFO
Joel Degner, Engineer/Operations Division Manager

Timothy Robinson, Fisheries Division Manager
Dorothy Turner, Administrative Assistant II

Others Present:

Dakota Corey, City of Santa Barbara
Nicolas Turner, Montecito Water District

Matt Young, COSB Water Agency

2. PUBLIC COMMENT

There was no public comment.

3. CONSENT AGENDA

- a. Minutes of December 19, 2022 Regular Board Meeting
- b. Investment of Funds
 - Financial Reports
 - Investment Reports
- c. Review of Paid Claims

Ms. Gingras introduced the Consent Agenda items and asked Mr. Lyons to comment on the financial statements. Mr. Lyons noted receipt of revenue from a non-member agency and highlighted various paid claims, including remittances to Bartlett, Pringle, Wolf, Famcon Pipe & Supply, State Water Resource Control Board and Cushman Contracting. He fielded questions from the Board.

Director Hanson motioned to approve the Consent Agenda items, followed by a second from Director Hayman. The motion carried unanimously with a vote of six in favor.

Ayes: Sneddon, Hayman, Hanson, Holcombe
Nays:
Absent:
Abstain:

4. VERBAL REPORTS FROM BOARD COMMITTEES

- Operations Committee Meeting – January 18, 2023

President Holcombe noted that the committee members had approved moving all agenda items to the Board. Further she commented that the meeting was an incredible debrief of recent activities.

5. RESOLUTION NO. 772 – CONFIRMATION OF LOCAL EMERGENCY - ACKNOWLEDGEMENT OF GOVERNOR NEWSOM’S DECLARED STATE OF EMERGENCY (HEALTH AND SAFETY)

President Holcombe introduced Resolution No. 772 and acknowledged previous unchanged discussions of the subject matter. Noting that Governor Newsom’s emergency order will sunset on February 28, 2023, she advised that the Administrative Committee will discuss an action plan for resumption of in-person meetings.

Director Sneddon motioned to approve Resolution No. 772. Director Hanson seconded the motion which carried with a vote of five in favor and one opposed.

Ayes: Sneddon, Hanson, Holcombe
Nays: Hayman
Absent:
Abstain

6. RESOLUTION NO. 773 – JANUARY 2023 STORMS – DECLARATION OF EMERGENCY

Ms. Gingras presented Resolution No. 773 and noted that a state of emergency for Santa Barbara County had been declared by the Federal government, triggering the availability of federal funding to affected counties. She passed the discussion to Mr. Degner who shared his screen to review damages resulting from the January 9th rain event. Mr. Degner reported that the most severe damages were sustained at Lauro Reservoir’s access road and debris basin followed by the Toro Canyon blow off damage. He advised that certain repairs which could not wait had already been undertaken by contractors on an emergent basis. Some repairs will be addressed by COMB staff, as appropriate. He fielded questions and comments from the Board which expressed support and concern for staff as these repairs are undertaken.

Director Sneddon provided the motion to approve Resolution No. 773. Director Hayman seconded and the motion carried unanimously with a vote of six in favor.

Ayes: Sneddon, Hayman, Hanson, Holcombe
Nays:
Absent:
Abstain:

7. STATE OF CALIFORNIA – DIVISION OF DRINKING WATER (DDW) PERMIT FEES

Ms. Gingras presented the DDW permit fees associated with COMB’s D-3 permit and noted that they were significantly higher than expected. As these fees apply only to potable water, she advised that the cost would be shared among the three Member Agencies who receive potable water through the conduit. Ms. Gingras proposed that the costs be deducted from unexpended funds due those Member Agencies. She fielded questions from the Board.

Director Sneddon motioned to approve the expenditure, followed by a second from President Holcombe. The expenditure was approved by a vote of six in favor.

Ayes: Sneddon, Hayman, Hanson, Holcombe

Nays:

Absent:

Abstain:

8. RESOLUTION NO. 774 – CROSS CONNECTION CONTROL POLICY

Ms. Gingras presented Resolution No. 774 establishing a cross connection control policy as required by COMB’s D-3 permit. Mr. Degner summarized the policy and described the actions COMB staff will undertake to comply, including the filing of the required annual report. He fielded questions from the Board.

Director Sneddon provided the motion to approve Resolution No. 774. Director Hanson seconded the motion which carried unanimously with a vote of six in favor.

Ayes: Sneddon, Hayman, Hanson, Holcombe

Nays:

Absent:

Abstain:

9. RESOLUTION NO. 775 - LAKE CACHUMA EMERGENCY PUMPING FACILITY SECURED PIPELINE PROJECT – STATUS REPORT / APPROVAL OF ADDITIONAL EXPENDITURES

Mr. Degner presented Resolution No. 775 and updated the Board on the current status of the EPF Secured Pipeline. He detailed the unavoidable tasks which arose during the course of the project, resulting in additional costs. Costs netted out to approximately \$200,000 which will be covered by shifting funding and/or delaying other IIP projects. Mr. Degner fielded questions from the Board and Mr. Lyons reported the welcome news that DWR grant funding of \$1.1 million for construction costs thru September had been received.

Director Hanson motioned to approve Resolution No. 775. Director Sneddon seconded the motion which passed unanimously with a vote of six in favor.

Ayes: Sneddon, Hayman, Hanson, Holcombe

Nays:

Absent:

Abstain:

10. GENERAL MANAGER REPORT

- Administration

Ms. Gingras presented the General Manager report. She reported that Mr. Lyons had conducted the annual IT meeting with COMB's external IT consultant. Mr. Lyons expanded on the results of that meeting. Ms. Gingras also advised that staff had participated in a webinar to educate themselves on the new laws for 2023. She commented as well on disaster funding in the wake of emergency declarations, reviewed the contracts executed during the past quarter and fielded questions from the Board.

11. ENGINEER'S REPORT

- Climate Conditions
- Lake Elevation Projections
- Infrastructure Improvement Projects Update

Mr. Degner presented the Engineer's report. Mr. Degner provided brief update on the lake elevation and likelihood of a spill event given the recent rain storms and subsequent inflows. As the reservoir is nearly at capacity and may spill, he noted that Reclamation has the authority to make decisions on how to manage a release in the event of a spill. He commented that the reservoir had sufficient capacity to capture the recent storm flow and functioned effectively as a flood control element. He fielded questions and concerns from the Board.

12. OPERATIONS DIVISION REPORT

- Lake Cachuma Operations
- Operation and Maintenance Activities

Mr. Degner also presented the Operations Division report and noted that all the gates at the North Portal are operational as a result of the Secured Pipeline project. This facilitated a post-storm gate change to allow for better water quality. He advised that crews are hard at work with both routine tasks and storm cleanup.

13. FISHERIES DIVISION REPORT

- LSYR Steelhead Monitoring Elements
- Tributary Project Updates
- Surcharge Water Accounting
- Reporting/Outreach/Training

Mr. Robinson presented the Fisheries Division report. He focused his comments on unprecedented runoff in the Whittier watershed and its impact on the Hilton Creek and Main Stem fisheries. At Reclamation's request, he led an inspection team from the National Marine Fisheries Service (NMFS) to Hilton Creek to evaluate how sediment-laden runoff had affected the health of the stream as well as the fish therein. Additionally, Mr. Robinson and staff inspected the Quiota Creek installations, as well as El Jaro Creek, and discovered that some in-stream and rock slope elements at all but one of the crossings required some repairs. Additionally, he reported that the Hilton Creek pumping barge sustained some damage during the storms and will need further attention. Mr. Robinson advised that staff will soon install migrant traps in an effort to determine if fish will move back upstream as sediment clears. He fielded a number of questions from the Board.

15. PROGRESS REPORT ON LAKE CACHUMA OAK TREE PROGRAM

- Maintenance and Monitoring

Mr. Robinson presented the Oak Tree report and indicated that staff was inventorying the oak trees for damage in the aftermath of the storms. He advised that Live Oak camp ground sustained flood damage which will necessitate replacement of approximately thirty trees.

16. MONTHLY CACHUMA PROJECT REPORTS

- a. Cachuma Water Reports
- b. Cachuma Reservoir Current Conditions
- c. Lake Cachuma Quagga Survey

Ms. Gingras reported nothing unusual in the Cachuma Project reports, however, she commented that Reclamation may revisit Member Agency allocations in light of inflow to the reservoir.

17. CALENDAR YEAR 2023 COMB REGULAR BOARD MEETING SCHEDULE

Following a short discussion, the Board concluded that there would be no change made to the regular board meeting schedule.

18. DIRECTORS' REQUESTS FOR AGENDA ITEMS FOR FUTURE MEETING

Director Hanson requested that director stipends be considered in a future agenda.

19. [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

The Board adjourned to Closed Session at 3:31 PM.

20. 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

The board reconvened into Open Session at 3:54 PM. There was no reportable action on items 18a., 18b. or 18c.

21. MEETING SCHEDULE

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

22. COMB ADJOURNMENT

There being no further business, the meeting was adjourned at 3:54 PM.

Respectfully submitted,



Janet Gingras, Secretary of the Board

√	<i>Approved</i>
	<i>Unapproved</i>

APPROVED:



Polly Holcombe, President of the Board












2023-01-23 Regular Board Meeting Minutes

Final Audit Report

2023-02-28

Created:	2023-02-28
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