

**SANTA YNEZ RIVER WATER CONSERVATION DISTRICT,  
IMPROVEMENT DISTRICT NO.1  
AUGUST 15, 2023 REGULAR MEETING MINUTES**

A Regular Meeting of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1, was held at 3:00 p.m. on Tuesday, August 15, 2023, in-person at 1070 Faraday Street and via teleconference.

Trustees Present:           Michael Burchardi     Jeff Clay  
                                  Brad Joos               Nick Urton

Trustees Absent:           Jeff Holzer

Others Present:           Paeter Garcia           Mary Robel  
                                  Karen King             Eric Tambini  
                                  Gary Kvistad

**1. CALL TO ORDER AND ROLL CALL:**

President Clay called the meeting to order at 3:00 p.m., he stated that this was a Regular Meeting of the Board of Trustees. Ms. Robel conducted roll call and reported that four Trustees were present, and that Trustee Holzer was absent.

**2. PLEDGE OF ALLEGIANCE:**

President Clay led the Pledge of Allegiance.

**3. REPORT BY THE SECRETARY TO THE BOARD REGARDING COMPLIANCE WITH THE REQUIREMENTS FOR POSTING OF THE NOTICE AND AGENDA:**

Ms. Robel presented the affidavit of posting the Agenda, along with a true copy of the Agenda for this meeting. She reported that the Agenda was posted in accordance with the California Government Code commencing at Section 54953, as well as District Resolution No. 340.

**4. ADDITIONS OR CORRECTIONS, IF ANY, TO THE AGENDA:**

There were no additions or corrections to the Agenda.

**5. PUBLIC COMMENT:**

President Clay welcomed any members of the public participating remotely and offered time for members of the public to speak and address the Board on matters not on the Agenda. There was no public comment. Mr. Garcia reported that no written comments were submitted to the District for the meeting.

**6. CONSIDERATION OF THE MINUTES OF THE REGULAR MEETING OF JULY 18, 2023:**

The Regular Meeting Minutes from July 18, 2023 were presented for consideration.

President Clay asked if there were any changes or additions to the Regular Meeting Minutes of July 18, 2023. There were no changes or additions requested.

It was **MOVED** by Trustee Urton, seconded by Trustee Joos, and carried by a 4-0-0 voice vote, with Trustee Holzer absent, to approve the July 18, 2023 Regular Meeting Minutes as presented.

7. **CONSENT AGENDA:**

The Consent Agenda Report was provided in the Board Packet.

Mr. Garcia reviewed the Consent Agenda materials for the month of July.

It was **MOVED** by Trustee Burchardi, seconded by Trustee Joos, and carried by a 4-0-0 voice vote, with Trustee Holzer absent, to approve the Consent Agenda as presented.

8. **MANAGER REPORTS - STATUS, DISCUSSION, AND POSSIBLE BOARD ACTION ON THE FOLLOWING SUBJECTS:**

**A. DISTRICT ADMINISTRATION**

1. Financial Report on Administrative Matters

a) Presentation of Monthly Financial Statements – Revenues and Expenses

Ms. Robel announced that the Financial Statements were provided to the Board via email earlier today and were included in the handout materials and posted on the District's website in the Board packet materials section for any member of the public wishing to follow along or receive a copy.

Ms. Robel reviewed the Statement of Revenues and Expenses for the month of July. She explained that the District's fiscal year 2023/2024 began on July 1<sup>st</sup> and that the financials reflect the first month of activity for the new fiscal year. She highlighted various line-items related to revenue and expense transactions that occurred during the month and also referenced the Fiscal-Year-to-Date Statement of Revenues and Expenses that provides a budget to actual snapshot for the month of July. Ms. Robel reported that the District revenues for the month of July exceeded the expenses by \$244,605.62.

b) Approval of Accounts Payable

Ms. Robel announced that the Warrant List was provided to the Board via email earlier today and also were included in the handout materials and posted on the District's website in the Board packet materials section for any member of the public wishing to follow along or receive a copy.

The Board reviewed the Warrant List which covered warrants 25313 through 25376 in the amount of \$586,567.90.

It was **MOVED** by Trustee Joos, seconded by Trustee Urton, and carried by a 4-0-0 voice vote, with Trustee Holzer absent, to approve the Warrant List for July 19, 2023 through August 15, 2023.

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

**A. STATE WATER PROJECT SUPPLIES**

1. Central Coast Water Authority (CCWA) Surplus Water Transfer Program

The Board packet included a July 27, 2023, Central Coast Water Authority Memorandum and Resolution regarding the 2023 Surplus Water Transfer Program.

Mr. Garcia discussed the CCWA 2023 Surplus Water Transfer Program, as further set forth in the Board packet materials. He reported that the program has been developed to assist CCWA Project participants who may be interested in transferring or selling surplus SWP supplies in years such as 2023 when above-normal supplies may exceed demand or otherwise cannot be delivered to participants and may become subject to loss from spill conditions at San Luis Reservoir. Mr. Garcia explained that CCWA has prepared a

Surplus Water Transfer Program Participation Agreement for those participants who are interested in possible transactions under the program. He explained that participation in the program is completely voluntary.

Mr. Garcia also informed the Board of an incident related to State Water Project deliveries that occurred on Saturday, August 12<sup>th</sup> at the Department of Water Resources (DWR) Devil's Den Pumping Plant. He reported that the District received notice from CCWA staff that an electrical explosion occurred at the Devil's Den pumping plant which provides State Water supplies to the CCWA Polonio Pass Water Treatment facility. He explained that the incident terminated deliveries of SWP supplies from CCWA, which required the District's field crew to immediately transition all water production and customer deliveries back to local river and groundwater supplies. Mr. Garcia stated that DWR is working on repair and temporary bypass options to resume deliveries to CCWA, which will be at reduced capacity until the Devil's Den facility is completely restored. Mr. Garcia commended the District's supervisors and field team for their seamless and immediate transition of all three District delivery zones from State Water to local groundwater, which involves a highly coordinated level of effort and expertise. He stated that he would provide further information as it becomes available.

## **B. SUSTAINABLE GROUNDWATER MANAGEMENT ACT**

### **1. Eastern Management Area (EMA) Update**

The Board packet included an August 10, 2023 Special Meeting Agenda, August 4, 2023 Staff Memorandum, April 14, 2023 State Water Resources Control Board Letter, and final draft letter regarding the Santa Ynez Valley Groundwater Sustainability Plans, Groundwater Basin No. 3-15.

Mr. Garcia reported on the August 10, 2023 Special Meeting of the EMA GSA. He stated that the main focus of the meeting was to review and approve a response to the State Water Resources Control Board's April 14, 2023 comment letter regarding the characterization of subsurface water in the River alluvium above the Lompoc Narrows. Mr. Garcia reported that the responsive materials were collaboratively prepared by the member agencies of the three GSAs in the Basin to address various technical, legal, and policy issues raised by the State Board staff comments. He reported that the EMA GSA Committee approved sending the responsive materials to the Department of Water Resources.

## **C. PROPOSED DRINKING WATER REGULATION - HEXAVALENT CHROMIUM**

### **1. Proposed Maximum Contaminant Level (MCL) Issued by the State Water Resources Control Board for Hexavalent Chromium**

The Board packet included an August 10, 2023 Notice of Comment Period Extension, SWRCB, DDW August 2, 2023 PowerPoint presentation regarding the Proposed Hexavalent Chromium Maximum Contaminant Level, and an August 4, 2023 City of Winters Comment Letter regarding the Draft Environmental Impact Report for Adoption of a Regulation for the Hexavalent Chromium Maximum Contaminant Level.

Mr. Garcia provided a detailed overview of the Board packet materials regarding the State Water Resources Control Board, Division of Drinking Water proposal to adopt a Maximum Contaminant Level of 10 parts per billion for Hexavalent Chromium (Chromium 6) in drinking water, including information that was presented by the State Board in a public workshop held on August 2, 2023. He noted that the public comment period on the proposed regulation and related draft Environmental Impact Report has been extended to August 18, 2023. Mr. Garcia also reported on the public health goal and

a new review being conducted by the Office of Environmental Health and Hazard Assessment, the current state and federal MCLs for Chromium 6 (50 and 100 parts per billion, respectively) in comparison to the newly proposed standard of 10 parts per billion, cost estimates published by the State Board for the new MCL, and a CEQA comment letter submitted by the City of Winters. Various discussion ensued among the Board and staff regarding financial, infrastructure, operational, and rate setting impacts of the newly proposed state regulation on ID No.1 and local ratepayers.

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

The Board packet included the August 2023 Family Farm Alliance Monthly Briefing.

11. **CORRESPONDENCE: GENERAL MANAGER RECOMMENDS FILING OF VARIOUS ITEMS:**  
The Correspondence List was received by the Board.

12. **REQUESTS FOR ITEMS TO BE INCLUDED ON THE NEXT REGULAR MEETING AGENDA:**  
There were no requests from the Board.

13. **NEXT MEETING OF THE BOARD OF TRUSTEES:**  
President Clay stated that the next Regular Meeting of the Board of Trustees is scheduled for September 19, 2023 at 3:00 p.m.

14. **CLOSED SESSION:**  
The Board adjourned to closed session at 4:40 p.m.

**A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

[Subdivision (d)(1) of Section 54956.9 of the Government Code – 2 Cases]

1. Name of Case: Adjudicatory proceedings pending before the State Water Resources Control Board regarding Permit 15878 issued on Application 22423 to the City of Solvang, Petitions for Change, and Related Protests
2. Name of Case: Central Coast Water Authority, et al. v. Santa Barbara County Flood Control and Water Conservation District, et al., Santa Barbara County Superior Court Case No. 21CV02432

**B. CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION**

[Subdivision (d)(2) of Section 54956.9 of the Government Code – Significant Exposure to Litigation Against the Agency – One Matter]

**C. CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION**

[Subdivision (d)(4) of Section 54956.9 of the Government Code – Potential Initiation of Litigation By the Agency – One Matter]

15. **RECONVENE INTO OPEN SESSION:**  
[Sections 54957.1 and 54957.7 of the Government Code]

The public participation phone line was re-opened and the Board reconvened to open session at approximately 5:45 p.m.

Mr. Garcia announced that the Board met in closed session in accordance with Agenda Items 14.A.1, 14.A.2, 14.B, and 14.C and that there was no reportable action from the closed session.

16. **ADJOURNMENT:**

Being no further business, it was **MOVED** by Trustee Urton, seconded by Trustee Burchardi, and carried by a 4-0-0 voice vote, with Trustee Holzer absent, to adjourn the meeting at approximately 6:00 p.m.

**THE AUGUST 15, 2023 MEETING MINUTES WERE APPROVED AT THE SEPTEMBER 19, 2023 REGULAR MEETING.**