



**CACHUMA CONSERVATION RELEASE BOARD  
BOARD OF DIRECTORS**

**REGULAR MEETING AGENDA**

**BY VIDEOCONFERENCE  
(PARTICIPATION DETAILS BELOW)**

City of Santa Barbara

Goleta Water District

Montecito Water District

**May 6, 2021  
2: 00 PM**

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**MODIFIED BROWN ACT COMPLIANCE IN LIGHT OF COVID-19**

Pursuant to State of California Executive Orders N-25-20 and N-29-20, members of the Cachuma Conservation Release Board (CCRB) Board of Directors (Board) and members of the public will participate in this meeting electronically by video- and/or teleconference, as described below. The access information for the Board and members of the public for this board meeting is as follows:

**Join videoconference:**

<https://us02web.zoom.us/j/89057073798?pwd=WW10K2kyWmxXbURhV1dYWktOMGU5QT09>

**Join teleconference:**

Call-in Number: 1.669.900.6833

Meeting ID: 890 5707 3798#

Passcode: 123117#

The Board may utilize different call-in information for any Closed Session items.

Any member of the public on the telephone may speak during the **Public Comment Period** or may email public comments to [pcantle@ccrb-board.org](mailto:pcantle@ccrb-board.org) and all comments will be read aloud during the meeting. During this period of modified Brown Act compliance, CCRB will use best efforts to swiftly resolve requests for reasonable modifications or accommodations for individuals with disabilities, consistent with the Americans with Disabilities Act, and will resolve any doubt whatsoever in favor of accessibility.

**ROLL CALL**

**PUBLIC COMMENT PERIOD**

Any member of the public may address the Board on any subject within the jurisdiction of the Board. The President of the Board will determine the total time for public comments. If you wish to address the Board, please email [pcantle@ccrb-board.org](mailto:pcantle@ccrb-board.org), with subject line of "Request to Speak" and include a description of the subject you wish to address.

### **CONSENT AGENDA**

Matters listed here comprise a consent agenda that may be acted upon by a single roll call vote of the Board.

#### **CA-1) Meeting Minutes**

Approval of minutes of the Board of Directors' April 1 and April 8, 2021 meetings.

#### **CA-2) Unaudited Interim Financial Report for the Period Ending March 31, 2021**

Receive and file an unaudited interim financial report for the period ending March 31, 2021.

### **REGULAR AGENDA**

#### **RA-1) State Water Board Order and Federal Consultation Process Update**

Consider a status update regarding State Water Resources Control Board Water Rights Order 2019-0148 and the Consultation process underway with the U.S. Bureau of Reclamation and National Marine Fisheries Service. (Est. time: 10 min.)

### **CLOSED SESSION AGENDA**

#### **CS-1) Conference with Legal Counsel – Anticipated Litigation**

Initiation of litigation pursuant to Government Code section 54956.9(d)(4) (one potential case)

**Reconvene in open session and report on any actions taken in closed session pursuant to Government Code Section 54957.1**

### **REGULAR AGENDA (CONT.)**

#### **RA-2) Identify Agenda Items for Future Board Meetings.**

#### **RA-3) Set Next Regular Meeting for 2 PM Thursday, June 10, 2021 (note proposed date change from first Thursday) by videoconference; and Adjourn.**

### **NOTICE TO PUBLIC**

**Americans with Disabilities Act:** In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Cachuma Conservation Release Board representative ([pcantle@ccrb-board.org](mailto:pcantle@ccrb-board.org)) at least 48 hours prior to the meeting to enable the Board to make reasonable arrangements.

[This Agenda was posted to the CCRB website and delivered in accordance with Sections 54954.1 and 54956 of the Government Code.]

**MINUTES OF A REGULAR MEETING  
of the  
CACHUMA CONSERVATION RELEASE BOARD  
held by Videoconference**

**April 1, 2021, 2:00 pm**

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**CALL TO ORDER, ROLL CALL**

The videoconference meeting was called to order at 2:07 pm by board President Lauren Hanson. Those attending the meeting were:

**Directors Present:**

Lauren Hanson	Goleta Water District
Kristen Sneddon	City of Santa Barbara
Tobe Plough	Montecito Water District

**Also Present:**

Ryan Drake	Warren Greco
Kevin O'Brien	Joel Mulder
Sam Bivins	Ted Harris
Peter Cantle	Charles Watson
Ali Taghavi	

**PUBLIC COMMENT**

No one from the general public was present; there was no public comment.

**CONSENT AGENDA**

Director Plough moved and Director Sneddon seconded approval of the Consent Agenda. The motion passed on a 3-0 roll call vote.

**REGULAR AGENDA**

**RA-1, Authorize Engagement with Nasif, Hicks, Harris & Co., LLP for Auditing Services.**

Executive Director Cantle recommended the board authorize the engagement of Nasif, Hicks, Harris & Co., LLP for CCRB's FY19/20 fiscal audit. Following discussion, Director Plough moved and Director Sneddon seconded approval of the recommendation, with the understanding that authorization of future auditing firms will be made by the board. The motion passed on a 3-0 roll call vote.

**RA-2, Fiscal Year 2021/2022 (FY22) Draft Budget.** Executive Director Cantle presented the draft FY22 budget for the board's consideration and noted the proposed budget is \$17,000 less than the current-year approved budget.

**CLOSED SESSION**

**CS-1) Conference with Legal Counsel – Anticipated Litigation.** The board went into closed session at 2:26 pm to discuss matters regarding potential litigation. The board came out of closed session at 3:43 pm with no reportable actions.

**REGULAR AGENDA- CONT.**

**RA-2, Fiscal Year 2021/2022 (FY22) Draft Budget – cont.** Changes to certain budget line items were requested by the board. These changes will be incorporated into a publicly available revised draft FY22 budget that will be considered by the board in a special meeting set for 11 am April 8, 2021 to be held by videoconference.

**RA-3, State Water Board and Federal Consultation Process Update.** Executive Director Cantle advised the board that staff continue to assist Reclamation in updating the December 2020 Biological Assessment (BA) in response to the National Marine Fisheries Service's (NMFS) February insufficiency letter. Reclamation intends to provide a revised BA in late April to NMFS. Additionally, Reclamation submitted a Term 27 annual compliance report to the State Water Board after addressing input received from NMFS and the California Dept. of Fish and Wildlife.

**RA-4, Identify Agenda Items for Future Board Meetings.** A revised draft budget for FY222 will be presented in a special CCRB board meeting scheduled for 11 am, April 8, 2021.

**RA-5, Confirm Next Meeting(s) and Adjourn.** The Cachuma Conservation Release Board will hold a special meeting at 11 am, April 8, 2021 by videoconference. The next regular meeting of the board is scheduled for 2:00 pm May 6, 2021 by videoconference. President Hanson adjourned the meeting at 3:50 pm.

Respectfully submitted,



Secretary to the Board

**MINUTES OF A SPECIAL MEETING  
of the  
CACHUMA CONSERVATION RELEASE BOARD  
held by Videoconference**

**April 8, 2021, 11:00 am**

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**CALL TO ORDER, ROLL CALL**

The teleconference meeting was called to order at 11:01 am by Board President Lauren Hanson. Those attending the teleconference were:

**Directors Present:**

Lauren Hanson	Goleta Water District
Kristen Sneddon	City of Santa Barbara
Tobe Plough	Montecito Water District

**Also Present:**

Ryan Drake	Sam Bivins
Cathy Taylor	Joel Mulder
Peter Cantle	Ted Harris
Ali Taghavi	Warren Greco

**PUBLIC COMMENT**

No one from the general public was present; there was no public comment.

**REGULAR AGENDA**

**RA-1, Fiscal Year 2021/2022 (FY22) Revised Draft Budget.** Executive Director Cantle summarized changes made to the proposed budget based on the board direction received during the April 1, 2021 board meeting. With these changes incorporated, the total proposed budget for FY22 is now \$1,145,000, a reduction of \$77,000 from the current-year budget. Cantle also noted the intention of maintaining current billing practices to Member Agencies based on anticipated quarterly workload, and that, in consideration of cash on hand, fourth-quarter billings in the current year would not be issued. Finally, Cantle noted that constructive returns for FY21 would likely issue to Member Agencies in September following the close of the fiscal year.

**CLOSED SESSION**

**CS-1) Conference with Legal Counsel – Anticipated Litigation.** The Board went into closed session at 11:05 am to discuss matters regarding potential litigation. The Board came out of closed session at 11:23 am with no reportable actions.

**REGULAR AGENDA- CONT.**

**RA-1, Fiscal Year 2021/2022 (FY22) Revised Draft Budget- cont.** Following discussion, Director Plough moved and Director Sneddon seconded approval of the FY22 budget for CCRB. The motion passed unanimously on a 3-0 roll call vote. The board directed Cantle to circulate the approved budget to Member Agency staff for presentation and approval by their respective decision-making bodies prior to July 1, as required by CCRB's Joint Powers Agreement.

**RA-2, Confirm Next Meeting.** The next regular meeting of the Cachuma Conservation Release Board is scheduled for 2:00 pm May 6, 2021 by videoconference. President Hanson adjourned the meeting at 11:25 am.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "A. Carr", is written over a horizontal line.

Secretary to the Board



Cachuma Conservation  
Release Board  
**Board of Directors**

City of Santa Barbara  
Goleta Water District  
Montecito Water District

**For Agenda Of:** May 6, 2021  
**Estimated Time:** (Consent)  
**Continued Item:** No  
**If Yes, date from:**

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**TO:** Board Members  
**FROM:** Peter Cantle, Executive Director  
**SUBJECT:** CA-2: Unaudited Interim Financial Report for Period Ending March 31, 2021

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**Legal Concurrence**

As to form: N/A

**Recommended Actions**

Receive and file an Unaudited Interim Financial Report for the period ending March 31, 2021.

**Discussion**

The Board of Directors approves the CCRB budget each fiscal year. It is subsequently approved by each Member Agency's governing body and becomes CCRB's operating budget for the fiscal year beginning July 1. As the fiscal year progresses, monthly unaudited financial reports are provided to the Board to compare fiscal performance against the adopted budget. This report addresses the period ending March 31, 2021.

**Fiscal Analysis**

Total income shown through March 31, 2021 was \$733,199.80, reflecting first, second and third quarter billings to the three Member Agencies. (As per Board direction, quarterly billings have been adjusted to reflect anticipated quarterly expenditures.) Total expenses booked through March 31 equal \$330,900.49, reflecting the late-October resumption of CCRB's technical support and engagement with Bureau of Reclamation in the State Water Board Order and Consultation regulatory processes, support and engagement which was paused at the start of the fiscal year. Currently, fourth quarter billings to Member Agencies are not anticipated as there appears to be sufficient cash on hand to complete the fiscal year.

**Attachments**

Attachment 1: Unaudited Interim Financial Report for the period ending March 31, 2021

**Authored by**

Peter Cantle, Executive Director

**ATTACHMENT 1**

**UNAUDITED INTERIM FINANCIAL REPORT FOR THE  
PERIOD ENDING MARCH 31, 2021**

**Cachuma Conservation Release Board**  
**Statement of Revenue and Expense- Budget vs. Actual**  
**July 2020 through March 2021**

	<u>Jul '20 - Mar 21</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
<b>Ordinary Income/Expense</b>				
Income				
<b>4200 · Income</b>	733,199.80	1,222,000.00	-488,800.20	60.0%
<b>Total Income</b>	733,199.80	1,222,000.00	-488,800.20	60.0%
Expense				
<b>5050 · Office Lease</b>	2,520.00	5,000.00	-2,480.00	50.4%
<b>5100 · Audit</b>	5,395.50	10,000.00	-4,604.50	54.0%
<b>5200 · Liability Insurance</b>	2,978.63	7,000.00	-4,021.37	42.6%
<b>5301 · Managers Salary</b>				
5301.01 · Managers Gross Wages	116,923.15	0.00	116,923.15	100.0%
5301.02 · Employer Tax Expense	7,467.47			
5301 · Managers Salary - Other	0.00	179,000.00	-179,000.00	0.0%
<b>Total 5301 · Managers Salary</b>	124,390.62	179,000.00	-54,609.38	69.5%
<b>5304 · Administrative Support</b>	3,900.27	16,000.00	-12,099.73	24.4%
<b>5312 · Misc Admin Expense</b>	1,902.83	4,000.00	-2,097.17	47.6%
<b>5313 · Communications/Computer</b>	3,832.32	8,000.00	-4,167.68	47.9%
<b>5316 · Admin Fixed Assets</b>	0.00	4,000.00	-4,000.00	0.0%
<b>5318 · Fraud</b>	0.00			
<b>5330 · Admin Travel Expense</b>	0.00	8,000.00	-8,000.00	0.0%
<b>5331 · Travel Federal &amp; State Meetings</b>	0.00	20,000.00	-20,000.00	0.0%
<b>5332 · Transportation</b>	0.00	1,000.00	-1,000.00	0.0%
<b>6500 · Contingency</b>	0.00	103,000.00	-103,000.00	0.0%
<b>7000 · Legal</b>	101,561.68	146,000.00	-44,438.32	69.6%
<b>7001 · BO Reconsultation Legal Support</b>	84,128.64	406,000.00	-321,871.36	20.7%
<b>7002 · SWRCB Water Rights</b>	180.00	80,000.00	-79,820.00	0.2%
<b>7100 · SWRCB Support</b>				
7200 · SWRCB Proceedings Support	110.00	185,000.00	-184,890.00	0.1%
<b>Total 7100 · SWRCB Support</b>	110.00	185,000.00	-184,890.00	0.1%
<b>7500 · Hydrologic Technical Support</b>	0.00	40,000.00	-40,000.00	0.0%
<b>Total Expense</b>	330,900.49	1,222,000.00	-891,099.51	27.1%
<b>Net Ordinary Income</b>	402,299.31	0.00	402,299.31	100.0%
<b>Net Income</b>	<b>402,299.31</b>	<b>0.00</b>	<b>402,299.31</b>	<b>100.0%</b>

**Cachuma Conservation Release Board**  
**Reconciliation Summary**  
1020 · CWB - Chkg #7204, Period Ending 03/31/2021

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	<u>Mar 31, 21</u>
<b>Beginning Balance</b>	464,858.82
<b>Cleared Transactions</b>	
Checks and Payments - 12 items	<u>-28,740.72</u>
<b>Total Cleared Transactions</b>	<u>-28,740.72</u>
<b>Cleared Balance</b>	<b><u>436,118.10</u></b>
<b>Uncleared Transactions</b>	
Checks and Payments - 7 items	<u>-36,116.33</u>
<b>Total Uncleared Transactions</b>	<u>-36,116.33</u>
<b>Register Balance as of 03/31/2021</b>	<b><u>400,001.77</u></b>
<b>New Transactions</b>	
Checks and Payments - 2 items	<u>-3,881.82</u>
<b>Total New Transactions</b>	<u>-3,881.82</u>
<b>Ending Balance</b>	<b><u>396,119.95</u></b>



**OK**  
**Apr 8, 2021**

**Cachuma Conservation Release Board**  
**Reconciliation Detail**  
**1020 · CWB - Chkg #7204, Period Ending 03/31/2021**

Type	Date	Num	Name	Clr	Amount	Balance
<b>Beginning Balance</b>						464,858.82
<b>Cleared Transactions</b>						
<b>Checks and Payments - 12 items</b>						
Bill Pmt -Check	02/22/2021		California Strategies...	X	-8,000.00	-8,000.00
Bill Pmt -Check	02/22/2021		Downey Brand Attor...	X	-6,170.50	-14,170.50
Bill Pmt -Check	02/22/2021		AccountabilityPlus, Inc	X	-539.48	-14,709.98
Bill Pmt -Check	02/22/2021		Peter Cante	X	-306.24	-15,016.22
Bill Pmt -Check	02/22/2021		Patterson Self-Stora...	X	-280.00	-15,296.22
Bill Pmt -Check	02/22/2021		CIO Solutions, LP	X	-63.26	-15,359.48
Check	03/10/2021		Payroll Tax	X	-3,815.84	-19,175.32
General Journal	03/10/2021		Peter Cante	X	-2,808.78	-21,984.10
Check	03/10/2021		Payroll Vault	X	-66.00	-22,050.10
Check	03/24/2021		Payroll Tax	X	-3,815.84	-25,865.94
General Journal	03/24/2021		Peter Cante	X	-2,808.78	-28,674.72
Check	03/24/2021		Payroll Vault	X	-66.00	-28,740.72
Total Checks and Payments					-28,740.72	-28,740.72
Total Cleared Transactions					-28,740.72	-28,740.72
Cleared Balance					-28,740.72	436,118.10
<b>Uncleared Transactions</b>						
<b>Checks and Payments - 7 items</b>						
Bill Pmt -Check	03/24/2021		Downey Brand Attor...		-24,389.00	-24,389.00
Bill Pmt -Check	03/24/2021		California Strategies...		-8,000.00	-32,389.00
Bill Pmt -Check	03/24/2021		Bartlett, Pringle & W...		-2,607.00	-34,996.00
Bill Pmt -Check	03/24/2021		AccountabilityPlus, Inc		-420.92	-35,416.92
Bill Pmt -Check	03/24/2021		Peter Cante		-356.15	-35,773.07
Bill Pmt -Check	03/24/2021		Patterson Self-Stora...		-280.00	-36,053.07
Bill Pmt -Check	03/24/2021		CIO Solutions, LP		-63.26	-36,116.33
Total Checks and Payments					-36,116.33	-36,116.33
Total Uncleared Transactions					-36,116.33	-36,116.33
Register Balance as of 03/31/2021					-64,857.05	400,001.77
<b>New Transactions</b>						
<b>Checks and Payments - 2 items</b>						
Check	04/07/2021	EFT	Payroll Tax		-3,815.82	-3,815.82
Check	04/07/2021	EFT	Payroll Vault		-66.00	-3,881.82
Total Checks and Payments					-3,881.82	-3,881.82
Total New Transactions					-3,881.82	-3,881.82
<b>Ending Balance</b>					<b>-68,738.87</b>	<b>396,119.95</b>



OK  
Apr 8, 2021



Cachuma Conservation  
Release Board  
  
**Board of Directors**

City of Santa Barbara

Goleta Water District

Montecito Water District

**For Agenda Of:** May 6, 2021  
**Estimated Time :** 10 minutes  
**Continued Item:** No  
**If Yes, date from:**

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**TO:** Board Members

**FROM:** Peter Cantle, Executive Director

**SUBJECT:** Item RA-1: State Water Board Order and Federal Consultation Process Update

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**Legal Concurrence:**

As to form: N/A

**Recommended Actions:**

Receive a status update regarding the State Water Resources Control Board (Water Board) Water Rights Order and the federal Endangered Species Act Sec. 7 Consultation process underway with the U.S. Bureau of Reclamation (Reclamation) and National Marine Fisheries Service (NMFS).

**Discussion**

***State Water Resources Control Board Water Rights Order.*** The Water Board approved Water Rights Order 2019-0148 (the Order) on September 17, 2019. The Order requires Reclamation, as permit holder, to: a) release additional water from Cachuma Reservoir during wetter-than-normal years; and, b) develop plans and conduct studies to assess, among other things, the feasibility of steelhead passage around Bradbury Dam, the benefits of the increased flows, other opportunities for habitat enhancement, and reduction of predatory invasive species in the watershed.

***Assistance with Plans Required by the Order.*** At Reclamation's request, CCRB is providing technical assistance in developing multiple plans required by the Order. This assistance is generally in the field of fisheries biology, with hydrology and legal regulatory input, as needed. Assistance efforts were paused at the CCRB board's direction in July 2020 and resumed in mid-October. CCRB staff continue to meet at regular intervals with Reclamation staff in furtherance of providing technical assistance.

To date, CCRB has worked with Reclamation primarily on plans required by Terms 20 and 24, which are closely linked within the Order. Term 20 requires Reclamation to develop a plan for conducting studies identified in Term 24 "and any other studies that may be necessary to determine the measures necessary to protect the public trust resources of the Santa Ynez River and keep the steelhead fishery in the Santa Ynez

River in good condition at the individual, population and community level.” CCRB assisted Reclamation in drafting the Term 20 plan, which Reclamation submitted to the Water Board for review on March 17, 2020. Reclamation has yet to receive substantive input on its Term 20 plan submittal.

Term 24 of the Order requires of Reclamation, among other things, a study plan to evaluate water quality issues that may impact steelhead in the lower Santa Ynez River. Following CCRB board review, a draft water quality study plan for the lower river was transmitted in January 2021 to Reclamation for its consideration. However, Reclamation has not submitted the water quality study plan, as the agency is seeking to clarify the Water Board’s review and response process. Additional plans with which CCRB staff provides assistance will be presented for CCRB board review before issuance to Reclamation.

In late March, Reclamation also submitted to the Water Board an annual compliance report for the water year ending September 30, 2020, as required by Term 27 of the Order. CCRB did not assist with this report. The report addresses Reclamation’s compliance with each term of the Order. Reclamation received input from NMFS and California Dept. of Fish and Wildlife on the draft, which Reclamation addressed as part of its submittal to the Water Board.

***Cachuma Project Section 7 Consultation Process.*** In November 2019, Reclamation submitted to NMFS a Biological Assessment (BA) of a proposed action that CCRB and the downstream interests helped develop. NMFS responded to this BA in February 2020 with a detailed insufficiency letter. When Reclamation didn’t respond timely with information requested by the letter, NMFS terminated consultation on the proposed action. On December 18, 2020, after working collaboratively with CCRB and the downstream interests, Reclamation submitted a revised BA to NMFS. This revised BA updates the November 2019 BA and uses the Water Rights Order 2019-0148 flow regime, with some key modifications, as its basis. The BA is also scoped to include other anticipated Reclamation actions, such as the long-term Master Service Contract and the COMB O&M contract. Reclamation tasked Stetson Engineering with producing hydrological modeling of specific scenarios in support of the revised BA. The modeling output was not ready by the submittal date; Reclamation thus submitted the BA to NMFS on December 18, 2020 without the hydrological modeling, which will be provided in a supplement to the BA.

In early February, CCRB staff and the downstream interests met with Reclamation and Stetson for an initial review of the hydrological modeling results. Following this meeting, Reclamation committed to providing more information about the modeling output, analytical methods and assumptions prior to submittal of the modeling to NMFS. Since that time, CCRB staff have continued to meet with Reclamation and Stetson personnel to review and understand the inputs and assumptions used to produce the hydrological modeling supporting Reclamation’s revised BA.

On February 8, 2021, NMFS issued Reclamation an insufficiency letter identifying information NMFS needs to initiate formal consultation on the revised BA and its proposed action. NMFS required Reclamation to respond to the letter within 45 days. CCRB and the downstream interests assisted Reclamation in addressing multiple issues identified in the letter. CCRB received Reclamation’s March 18 response to the insufficiency letter on March 31. In addition to its March insufficiency letter response, Reclamation intends to submit to NMFS in late April an updated version of the BA that addresses insufficiency issues. CCRB staff continues to engage with Reclamation regarding the BA as it is revised and looks forward to assisting the agency in responding to input following the updated document’s review by NMFS.

We will continue to update the board with new information as it becomes available on these consultation and Water Rights Order matters.

**Fiscal Analysis:**

CCRB's approved FY21 budget of \$1,222,000 provides for staff and consulting support related to both the Water Board Order and the federal Consultation process; costs incurred to date are well within budget.

**Attachments:**

None.

**Report authored by:**

Peter Cantle, Executive Director