



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

March 4, 2021

2: 00 PM

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/88201538674?pwd=MFRaRFp6Z3ZrVGFFeGxLTVNtSHdmUT09>

Join teleconference:

Call-in Number: 1.669.900.6833

Meeting ID: 882 0153 8674#

Passcode: 582109#

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 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, with subject line of "Request to Speak" and include a description of the subject you wish to address.

CONSENT AGENDA

All matters listed hereunder constitute a consent agenda and 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' February 12, 2021 meeting.

CA-2) Unaudited Interim Financial Statement for the Period Ending January 31, 2021

Receive and file the Unaudited Interim Financial Statement for the Period Ending January 31, 2021.

REGULAR AGENDA

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

Consider status updates 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. (Estimated 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-3) Identify Agenda Items for Future Board Meetings.

RA-4) Set Next Regular Meeting for 2 PM Thursday, April 1, 2021, by teleconference and/or 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) 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 SPECIAL MEETING
of the
CACHUMA CONSERVATION RELEASE BOARD
held by Videoconference**

February 12, 2021, 11:00 am

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
Kevin O'Brien	Warren Greco

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 including a minor edit to the minutes of January 14, 2021. The motion passed on a 3-0 roll call vote.

REGULAR AGENDA

RA-1, State Water Board Order and Federal Consultation Process Update. Executive Director Cantle advised the board that the US Bureau of Reclamation has not received any approved plans to date from the State Water Board, including the Term 20 plan, with which CCRB assisted in development. Cantle also advised the board that staff met in early February with Reclamation representatives to discuss the ongoing development and support of the Biological Assessment that Reclamation submitted to National Marine Fisheries Service in December 2020.

CLOSED SESSION

CS-1) Conference with Legal Counsel – Anticipated Litigation. The Board went into closed session at 11:09 am to discuss matters regarding potential litigation. The Board came out of closed session at 12:17 pm with no reportable actions.

REGULAR AGENDA- CONT.

RA-3, Identify Agenda Items for Future Board Meetings. Executive Director Cantle noted that a first draft budget for FY21/22 will be presented for consideration in the April 2021 meeting.

RA-4, Confirm Next Meeting. The next regular meeting of the Cachuma Conservation Release Board is scheduled for 2:00 pm March 4, 2021 by videoconference. President Hanson adjourned the meeting at 12:20 pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Pete Cantle", is written over a horizontal line. The signature is fluid and cursive.

Secretary to the Board



Cachuma Conservation
Release Board
Board of Directors

City of Santa Barbara

Goleta Water District

Montecito Water District

For Agenda Of: March 4, 2021

Estimated Time: (Consent)

Continued Item: No

If Yes, date from:

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

Legal Concurrence:

As to form: N/A

Recommended Actions:

Receive and file the Unaudited Interim Financial Statement for Period Ending January 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 annual operating budget. During the fiscal year, monthly unaudited interim financial results are provided to the Board to compare fiscal performance against the adopted budget. This report addresses the period ending January 31, 2021.

Fiscal Analysis:

Total income shown through January 31, 2021 was \$733,199.80, reflecting first, second and third quarter billings to the three Member Agencies. (As per Board direction, quarterly billings are being adjusted to reflect anticipated quarterly expenditures.) Total expenses booked through January 31 equal \$252,603.26, reflecting the second-quarter 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 during the first quarter.

Attachments:

Attachment 1: Unaudited Interim Financial Statement for the period ending January 31, 2021

Authored by:

Peter Cantle, Executive Director

ATTACHMENT 1

**UNAUDITED INTERIM FINANCIAL STATEMENT
PERIOD ENDING JANUARY 31, 2021**

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

	Jul '20 - Jan 21	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
4200 · Income	733,199.80	1,222,000.00	-488,800.20	60.0%
Total Income	733,199.80	1,222,000.00	-488,800.20	60.0%
Expense				
5050 · Office Lease	1,960.00	5,000.00	-3,040.00	39.2%
5100 · Audit	2,788.50	10,000.00	-7,211.50	27.9%
5200 · Liability Insurance	2,978.63	7,000.00	-4,021.37	42.6%
5301 · Managers Salary				
5301.01 · Managers Gross Wages	92,307.75	0.00	92,307.75	100.0%
5301.02 · Employer Tax Expense	5,584.40			
5301 · Managers Salary - Other	0.00	179,000.00	-179,000.00	0.0%
Total 5301 · Managers Salary	97,892.15	179,000.00	-81,107.85	54.7%
5304 · Administrative Support	2,939.87	16,000.00	-13,060.13	18.4%
5312 · Misc Admin Expense	1,474.48	4,000.00	-2,525.52	36.9%
5313 · Communications/Computer	3,148.81	8,000.00	-4,851.19	39.4%
5316 · Admin Fixed Assets	0.00	4,000.00	-4,000.00	0.0%
5318 · Fraud	0.00			
5330 · Admin Travel Expense	0.00	8,000.00	-8,000.00	0.0%
5331 · Travel Federal & State Meetings	0.00	20,000.00	-20,000.00	0.0%
5332 · Transportation	0.00	1,000.00	-1,000.00	0.0%
6500 · Contingency	0.00	103,000.00	-103,000.00	0.0%
7000 · Legal	82,033.68	146,000.00	-63,966.32	56.2%
7001 · BO Reconsultation Legal Support	57,277.14	406,000.00	-348,722.86	14.1%
7002 · SWRCB Water Rights	0.00	80,000.00	-80,000.00	0.0%
7100 · SWRCB Support				
7200 · SWRCB Proceedings Support	110.00	185,000.00	-184,890.00	0.1%
Total 7100 · SWRCB Support	110.00	185,000.00	-184,890.00	0.1%
7500 · Hydrologic Technical Support	0.00	40,000.00	-40,000.00	0.0%
Total Expense	252,603.26	1,222,000.00	-969,396.74	20.7%
Net Ordinary Income	480,596.54	0.00	480,596.54	100.0%
Net Income	480,596.54	0.00	480,596.54	100.0%

Cachuma Conservation Release Board
Reconciliation Summary
1020 · CWB - Chkg #7204, Period Ending 01/31/2021

	<u>Jan 31, 21</u>
Beginning Balance	258,852.18
Cleared Transactions	
Checks and Payments - 12 items	-37,643.35
Deposits and Credits - 3 items	176,481.14
Total Cleared Transactions	<u>138,837.79</u>
Cleared Balance	<u><u>397,689.97</u></u>
Uncleared Transactions	
Checks and Payments - 6 items	-19,301.69
Total Uncleared Transactions	<u>-19,301.69</u>
Register Balance as of 01/31/2021	<u><u>378,388.28</u></u>
New Transactions	
Checks and Payments - 1 item	-58.95
Total New Transactions	<u>-58.95</u>
Ending Balance	<u><u>378,329.33</u></u>



OK
2-3-2021

Cachuma Conservation Release Board
Reconciliation Detail
1020 · CWB - Chkg #7204, Period Ending 01/31/2021

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						258,852.18
Cleared Transactions						
Checks and Payments - 12 items						
Bill Pmt -Check	12/17/2020		Downey Brand Attor...	X	-13,940.36	-13,940.36
Bill Pmt -Check	12/17/2020		California Strategies...	X	-8,000.00	-21,940.36
Bill Pmt -Check	12/17/2020		Peter Cante	X	-1,300.91	-23,241.27
Bill Pmt -Check	12/17/2020		AccountabilityPlus, Inc	X	-390.58	-23,631.85
Bill Pmt -Check	12/17/2020		Patterson Self-Stora...	X	-280.00	-23,911.85
Bill Pmt -Check	12/17/2020		CIO Solutions, LP	X	-63.26	-23,975.11
Check	01/13/2021		Payroll Tax	X	-4,068.14	-28,043.25
General Journal	01/13/2021		Peter Cante	X	-2,808.78	-30,852.03
Check	01/13/2021		Payroll Vault	X	-66.00	-30,918.03
Check	01/27/2021		Payroll Tax	X	-3,850.54	-34,768.57
General Journal	01/27/2021		Peter Cante	X	-2,808.78	-37,577.35
Check	01/27/2021		Payroll Vault	X	-66.00	-37,643.35
Total Checks and Payments					-37,643.35	-37,643.35
Deposits and Credits - 3 items						
Payment	01/12/2021		Montecito Water Dis...	X	31,991.96	31,991.96
Payment	01/26/2021		Montecito Water Dis...	X	31,991.96	63,983.92
Payment	01/26/2021		Goleta Water District	X	112,497.22	176,481.14
Total Deposits and Credits					176,481.14	176,481.14
Total Cleared Transactions					138,837.79	138,837.79
Cleared Balance					138,837.79	397,689.97
Uncleared Transactions						
Checks and Payments - 6 items						
Bill Pmt -Check	01/28/2021		Downey Brand Attor...		-10,478.25	-10,478.25
Bill Pmt -Check	01/28/2021		California Strategies...		-8,000.00	-18,478.25
Bill Pmt -Check	01/28/2021		Patterson Self-Stora...		-280.00	-18,758.25
Bill Pmt -Check	01/28/2021		AccountabilityPlus, Inc		-273.86	-19,032.11
Bill Pmt -Check	01/28/2021		Peter Cante		-206.32	-19,238.43
Bill Pmt -Check	01/28/2021		CIO Solutions, LP		-63.26	-19,301.69
Total Checks and Payments					-19,301.69	-19,301.69
Total Uncleared Transactions					-19,301.69	-19,301.69
Register Balance as of 01/31/2021					119,536.10	378,388.28
New Transactions						
Checks and Payments - 1 item						
Check	02/01/2021		Payroll Vault		-58.95	-58.95
Total Checks and Payments					-58.95	-58.95
Total New Transactions					-58.95	-58.95
Ending Balance					119,477.15	378,329.33



OK
2-3-2021



Cachuma Conservation
Release Board

Board of Directors

City of Santa Barbara

Goleta Water District

Montecito Water District

For Agenda Of: March 4, 2021

Estimated Time : 10 minutes

Continued Item: No

If Yes, date from:

TO: Board Members

FROM: Peter Cantle, Executive Director

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

Legal Concurrence:

As to form: N/A

Recommended Actions:

Receive a status update regarding the State Water Resources Control Board (State 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 State 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 has been 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 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, and Reclamation submitted the plan to the Water Board for review on March 17, 2020. Reclamation has yet to receive input on the Term 20 plan.

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. Additional plans required by the Order will be presented for CCRB board review before issuance to Reclamation.

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 new BA updates the November 2019 BA and uses the Water Rights Order 2019-0148 flow regime, with some 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 draft BA; however, the modeling output was not ready by the submittal date. Reclamation thus submitted the BA to NMFS on December 18, 2020 without the modeling results, 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 supplement to NMFS.

On February 8, 2021, NMFS issued Reclamation an insufficiency letter identifying information NMFS needs to initiate formal consultation on the new BA and its proposed action. NMFS has asked Reclamation to respond within 45 days. CCRB and the downstream interests have begun assisting Reclamation in addressing issues identified in the letter so that Reclamation may respond timely and substantively to NMFS. Staff looks forward to continued collaborative engagement with Reclamation regarding the BA and its 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