

MINUTES OF A REGULAR MEETING
Of the
CACHUMA OPERATION & MAINTENANCE BOARD
Held at the
Cachuma Operation & Maintenance Board Office
3301 Laurel Canyon Road, Santa Barbara, CA
Monday, May 23, 2011

1. Call to Order, Roll Call

The meeting was called to order at 2:00 p.m. by President Lauren Hanson who chaired the meeting. Those in attendance were:

Directors present:

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| Lauren Hanson | Goleta Water District |
| Bob Lieberknecht | Carpinteria Valley Water District |
| Doug Morgan | Montecito Water District |
| Dale Francisco | City of Santa Barbara |
| Dennis Beebe | SYR Water Conservation District, ID No. 1 |

Others present:

| | |
|-----------------|------------------|
| Kate Rees | Tony Trembley |
| Jim Colton | Adelle Capponi |
| John McInnes | Charles Hamilton |
| Sonja Fernandez | Rebecca Bjork |
| Ruth Snodgrass | Janet Gingras |
| Phil Walker | Chris Dahlstrom |
| Tim Robinson | |

2. Public Comment

Phil Walker commented on the large number of carp in Lake Cachuma and future impacts on the Lake due to siltation.

3. Consent Agenda

a. Minutes:

April 25, 2011 Regular Board Meeting and May 16, 2011 Special Board Meeting

Director Beebe stated that Ms. Rees had reported during the April meeting information regarding an MOU with the County Transportation Department regarding the Quiota Creek Fish Passage projects, and requested that that information be added to the minutes, Item #8 C.

Staff reported that a correction had been made to the May 16, 2011 Special Board meeting minutes to correct the title of the closed session item.

b. Investment Funds

Financial Reports
Investment Report

c. Payment of Claims

Director Morgan requested an explanation of transaction number 19838 paid to Nordman, Cormany, Hair & Compton, and requested that this transaction be pulled from the consent agenda. General Counsel, Tony Trembley, will discuss the invoiced item with Director Morgan. Director Morgan also noted that there was an error in the Summers Engineering invoice, which staff will correct.

Director Beebe moved to approve the consent agenda with the changes noted, seconded by Director Francisco, passed 7/0/0.

4. Reports From Board Committees

a. Administration Committee

President Hanson reported that the Administration Committee had reviewed the preliminary COMB budget for FY 2011/2012 and made several suggested revisions that were incorporated into the preliminary budget presented at today's meeting. The Committee has also been discussing the salary and benefits package for COMB employees. As there is a need for further discussion and consideration, a proposal has not yet been developed for the Board to consider.

b. Reorganization Committee

Ms. Rees reported on the progress of the Reorganization Committee discussions. The next meeting will be June 6th to, hopefully, finalize the COMB JPA Amendment and the Implementation Agreement between ID#1, CCRB and COMB regarding certain sections of the 2001 Fisheries MOU. Once the agreements have been agreed to for recommendation by the Ad Hoc Committee, they will be scheduled for approval by the Member Units for the JPA Amendment, and by CCRB, COMB, and ID#1 for the Implementation Agreement.

5. Santa Ynez River RiverWare Model Peer Review

Ms. Rees reported that at the April 25, 2011 Board meeting, the COMB Board approved carrying out and funding a local peer review of the new SYR RiverWare Model, and authorized the General Manager to enter into a contract with the selected south coast consultant. President Hanson requested that this item be reconsidered by the Board at the May 23rd meeting. Staff recommended that the COMB Board rescind its approval of entering into a contract with a consultant for the local peer review, and instead request that the CCRB Board be the contracting agency.

Director Beebe moved that the Board rescind its approval of COMB contracting with a hydrologic consultant for carrying out a peer review of the SYR RiverWare Model,

and requested that the CCRB Board enter into a contract with the selected south coast consultant, seconded by Director Morgan, passed 7/0/0.

For the record, Charles Hamilton, CVWD General Manager, stated that CVWD intends to participate in the peer review of the SYR RiverWare Model. He suggested that an amended RiverWare MOU may be needed as CVWD is no longer a member of CCRB, the agency that will be holding the contract. Ms. Rees indicated that Bruce Wales, SYRWCD Manager, was in the process of writing a new MOU among the parties.

6. Fisheries Division Activities

a. Clarification Regarding NMFS Letter for Biological Opinion Coverage for Quiota Creek Projects

Ms. Rees reported that at the March 28, 2011 Board meeting, the COMB Board reviewed a letter from the National Marine Fisheries Service (NMFS) to the Army Corp of Engineers (ACOE) pertaining to a permit application submitted on behalf of COMB for the fish passage project on Quiota Creek at Crossing 2. The letter stated that coverage for the project under the existing Biological Opinion (BO) was not appropriate, primarily because the incidental take provision had been exceeded annually. NMFS identified an alternate programmatic BO with the Department of Fish and Game (DFG). Because the project was being funded through DFG's Grant Program, NMFS approved using DFG's for construction of the Quiota Creek project. This letter raised some questions and concerns from the Board, and the Board requested that Ms. Rees get clarification from NMFS.

A conference call was held on May 16th with NMFS and Reclamation regarding this issue. NMFS confirmed that the Quiota Creek projects for both Crossings 2 and 7 will be covered under CDFG's Programmatic BO. Future Quiota Creek projects that receive partial or full grant funding from CDFG will also be covered under the CDFG's BO. Future projects that are not funded by CDFG would have to undergo a separate Section 7 consultation.

NMFS also confirmed that the fisheries monitoring program continues to be covered by the Cachuma BO, and that they did not consider snorkeling activities to constitute a "take". However trapping activities do. Tim Robinson was asked to prepare a modified trapping program to assure that we stay within the limits of the incidental take permit. The Board requested that Ms. Rees get a formal confirmation regarding these issues, however, she indicated that NMFS would not agree to provide anything further in writing to COMB. Staff will continue to work through Reclamation regarding the BO requirements.

b. Fisheries Program Report

The monthly Fisheries report was included in the board packet.

c. Quiota Creek Projects Update

Tim Robinson, Sr. Resources Scientist, presented a chart showing the progress on the Quiota Creek projects. Crossing 2 is at 100% design and currently

under final review by NMFS, the RWQCB and CDFG permits have been received, the ACOE permit is pending, and 100% construction funding has been secured through a grant from CDFG. Crossing 7 is at 95% design, the RWQCB and CDFG permits have been received, the ACOE permit is pending, and 50% of the construction funding has been provided through a grant from CDFG. A NOAA grant application for the balance of Crossing 7 is still pending. These two projects have been proposed for construction this fiscal year, pending full funding for Crossing 7.

d. Report on California Society for Ecological Restoration Conference, San Diego, May 10-12, 2011

Dr. Robinson reported that he had been invited to give a talk and a session at the Ecological Restoration Conference in San Diego.

e. Presentation at Anacapa School May 2, 2011

Dr. Robinson gave a presentation regarding the fisheries program at a breakfast club meeting at the Anacapa School in Santa Barbara as one of their monthly speakers.

7. Proposed Preliminary FY 2011-2012 COMB Budget

Janet Gingras, Administrative Manager, highlighted the preliminary FY 2011-12 Budget for the Board. The preliminary Budget was reviewed by the Operating Committee at its April and May meetings, as well as by the Administration Committee on May 9, 2011. The Budget was revised to incorporate suggested changes from both the Operating and the Administration Committee.

Director Beebe reported that at this time ID#1 could not support participating in the Tri-County Fish Team, and that they preferred to pay their share of the SYR RiverWare Model peer review directly to the SYRWCD. He suggested reducing the budget line item for RiverWare by the amount of their share.

The COMB Board previously approved funding for the peer review through the COMB FY 11-12 budget in the amount of \$60,000 for all five member units. After discussion, the Board agreed that ID#1's share of the funding could be paid through the SYRWCD instead of through COMB. The Draft FY 2011-12 Budget will be revised to budget for and assess only the south coast member units for the peer review.

President Hanson requested that the draft budget be reviewed once again by the Operating Committee on June 1st, and come back to the Board for approval at the June 27, 2011 meeting.

8. Operations Division Activities

a. Operations Report

The monthly report on Operations was included in the board packet. President Hanson requested that the Operations Report be expanded to contain somewhat more detail.

9. Reports From the Manager

a. Update on Modified Upper Reach Reliability Project and Status of ID No. 1 Indemnification Agreement

Ms. Rees reported that the Indemnification Agreement with ID#1 for the Modified Upper Reach Reliability Project had not yet been approved by the ID#1 Board. It is being reviewed by legal counsel and will be considered for approval by the ID#1 Board on June 21st. COMB will consider approval of the Indemnification Agreement and the Project expenditure at its June 27, 2011 meeting. Per the COMB JPA, the Member Units would then need to ratify COMB's action during the month of July, as the Project cost is over \$1,000,000.

b. Cachuma Water Reports

The monthly water reports were included in the board packet.

c. Cachuma Reservoir Current Conditions

The daily operations report for Lake Cachuma through May 18, 2011 was included in the board packet.

d. Lake Cachuma 2011 Spill

The spill ended at noon on Friday, May 13, 2011. The surcharge balance is at 8,942 AF. During the month of May, 394 AF was used for target flows and 500 AF was released from the Adaptive Management Account (AMA) to assist with potential steelhead migration.

e. Operating Committee Draft Minutes, May 4, 2011

The draft minutes were included for information.

f. Quagga Mussel Reports, March & April 2011

The report from the County Parks Dept. was included in the board packet. There were no Quagga mussels found.

10. Directors' Request for Agenda Items for Next Meeting

There were no requests from the Directors.

11. Meeting Schedule

- Trust Fund/Renewal Fund Committee and Cachuma Betterment Fund Meeting, May 25, 2011 2:00 P.M., COMB office
- Reorganization Ad Hoc Committee Meeting, June 6, 2011 1:00 P.M. at the City of Santa Barbara Water Resources Conference Room
- The next regular Board meeting will be held June 27, 2011 at 2:00 P.M.
- The Agendas and Board Packets are available on the COMB website, www.cachuma-board.org

12. [CLOSED SESSION]

- a. Public Employee Appointment [Government. Code Section 54957]
Title: New General Manager**

- b. Public Employment [Government Code Section 54957]
Title: New General Manager**


- c. Conference With Labor Negotiators [Government Code Section 54957.6]
Agency Designated Representative: Board President
Unrepresented Employee: New General Manager**

The Board went into closed session at 4:07 p.m. and came out of closed session at 5:00 p.m. There was no action to report.

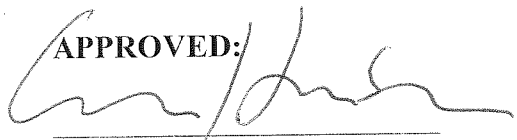
13. COMB Adjournment

There being no further business, the meeting was adjourned at 5:05 p.m.

Respectfully submitted,



Kate Rees, Secretary of the Board

APPROVED: 

Lauren Hanson, President of the Board