

**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, March 28, 2011**

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**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:**

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	Dave Ault
Sonja Fernandez	Bill Ferguson
Ruth Snodgrass	Daniel Brooks
Jim Blois	Beth Ford
Phil Walker	Harlan Burchardi
Tim Robinson	Michael O'Brien (phone)

**2. Public Comment**

Phil Walker complimented the Board and COMB staff on the public meeting held regarding the Lauro Dam Early Warning System.

**3. [Closed Session] Conference With Legal Counsel Regarding Anticipated Litigation, Pursuant to Government Code Section 54956.9(c) (one case)**

The Board went into closed session at 2:05 p.m. and came out of closed session at 2:16 p.m. There was no reportable action out of closed session.

**4. Consent Agenda**

**a. Minutes:**

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**b. Investment Funds**

Financial Reports

Investment Report

**c. Payment of Claims**

Director Beebe moved to approve the consent agenda as presented, seconded by Director Francisco, passed 7/0/0.

**5. Resolution No. 521 for David Ault Upon His Retirement From COMB.**

President Hanson presented Resolution No. 521 to David Ault upon his retirement from COMB and thanked him for all he has done during his fifteen years with COMB. The Board approved Resolution No. 521 by unanimous acclamation.

**6. Reports From Board Committees**

**a. Administration Committee**

President Hanson reported that the Administration Committee had met and discussed the Modified Upper Reach Project, and also continued the discussion on salaries and benefits for COMB employees. Both topics will have further discussion at future meetings.

**b. General Manager Search and Transition Ad Hoc Committee**

President Hanson reported that 35 applications for the General Manager position had been received, and that the committee would be meeting April 4<sup>th</sup> to review the applications. She expected that 3 to 5 candidates would be recommended to be interviewed by the full Board.

**7. Reorganization Issues**

**a. Preparation of Draft Agreement Among CCRB, ID#1 and COMB Related to 2001 Fish MOU by Chip Wullbrandt, Price Postel & Parma LLP, to be Carried Out by CCRB Rather Than COMB**

Ms. Rees informed the Board that after discussion with COMB's General Counsel, it would be more appropriate for Mr. Wullbrandt to be paid for drafting the implementation agreement by CCRB rather than COMB, as he has been representing CCRB throughout the reorganization discussions. The Board agreed.

**b. Draft Agreement Related to the 2001 MOU to Support Implementation of the Cachuma Biological Opinion and Lower Santa Ynez River Fish Management Plan Among CCRB, ID#1 and COMB**

Ms. Rees included in the board packet the draft agreement related to COMB implementing CCRB's and ID#1's responsibilities in the 2001 Fish MOU for information. She reported that the Member Unit General Managers were reviewing the Draft Agreement, and requested that any comments the Directors might have, should be directed to their individual General Managers. The Final Implementation Agreement will come back for Board approval at the April 25 or May 24, 2011 Board meeting.

**c. Draft Amendment to COMB JPA**

Ms. Rees included in the board packet a draft Amendment to the COMB Joint Powers Agreement per the terms of the reorganization concept structure. The Amendment must be approved by all member unit Boards or Council for it to go into effect. It will not require COMB's approval. Ms. Rees will set up a conference call with the Reorganization Committee to discuss comments on the draft Amendment to the JPA.

**d. Revised Timeline to Complete Reorganization**

Ms. Rees made some corrections to the projected timeline included in the board packet. She reported that staff would prepare a draft Renewal Fund/Trust Fund (MCA 27) 5-Year Plan and 2012 Annual Plan during May. COMB will consider approval of both Plans at its May 23<sup>rd</sup> Board meeting. Per the terms of the reorganization, approval of the 5-Year Plan will require a unanimous vote; the Annual Plan will require a majority vote as part of approving the COMB FY 11-12 Budget.

**8. Consideration of Alternate Upper Reach Reliability Project**

**a. Revised Modified Upper Reach Reliability Project: Components, Cost Estimates, and Schedule**

Ms. Rees highlighted the information that was included in the board packet. AECOM provided a cost estimate for the Modified Upper Reach Reliability Project. They had also prepared a preliminary Scope of Work outline for the entire project. The project will be carried out over two fiscal years FY 2011-12 and FY 2012/13. A preliminary project schedule was also included. The Board requested that the SOW reflect "Plan B", and that the projects tasks and components be more closely tied to the project schedule and budget so that they could be identified more easily. Staff will work with AECOM on the revisions and present a revised SOW, project components, and cost estimate at the April Board meeting.

**b. Report on South Coast Member Units' Support of Funding the Modified Upper Reach Reliability Project**

President Hanson reported that all of the south coast Member Units had agreed to financially support the Modified Upper Reach Reliability Project per their normal Cachuma entitlement shares.

**c. Consider Approval of Draft Letter to SWRCB Requesting Acceptance of Modified Upper Reach Reliability Project to Replace the SCC 2<sup>nd</sup> Pipeline Project for Use of Prop 50 Grant**

Ms. Rees included in the board packet a draft letter to the SWRCB requesting modification to COMB's South Coast Conduit Upper Reach Reliability Project (Component 1 – SCC 2<sup>nd</sup> Pipeline Project) included in the Proposition 50 Master Contract for Santa Barbara County. COMB is requesting that the Modified Upper Reach Reliability Project be substituted for the SCC 2<sup>nd</sup> Pipeline Project.

Matt Naftaly, Santa Barbara County Water Agency Manager, also wrote a letter to the SWRCB in support of COMB's revised project, and emphasized that it would still provide regional benefit and meet the goals of Prop 50 and

Santa Barbara's IRWMP. His draft letter was also included in the board packet.

Director Hanson moved to; 1) confirm that the 2<sup>nd</sup> Pipeline Project has been deferred in favor of the Modified Upper Reach Reliability Project, 2) to authorize staff to proceed with the project planning; and 3) to authorize that the COMB letter be sent to the State Water Resources Control Board requesting approval of COMB's substitution of the 2<sup>nd</sup> Pipeline Project for the Modified Upper Reach Reliability Project for use of the Prop 50 grant, seconded by Director Francisco, Director Hanson modified her motion to "Modified Upper Reach Reliability Project, Plan B," Director Francisco accepted the modification of the motion to his second, passed 6/0/1, Director Beebe abstained.

**d. Consider Rejection of Blois Construction, Inc. Bid for SCC Upper Reach Reliability Project**

President Hanson reported that because the 2<sup>nd</sup> Pipeline Project was not going forward it would be necessary that the Board reject the construction bid from Blois Construction, Inc.

Director Morgan moved to reject Blois Construction, Inc.'s bid and all other bids for the SCC Upper Reach Reliability Project (2<sup>nd</sup> Pipeline Project), and to direct staff to send a letter to Mr. Blois notifying him of the bid rejection, seconded by Director Francisco, passed 6/0/1, Director Beebe abstained.

**9. Reports From the Manager**

**a. Cachuma Water Reports**

The monthly water reports were included in the board packet.

**b. Operations Report**

The Operations Report was included in the board packet. Included with the monthly Operations Report was the quarterly report on the Land Use activities. The Board requested that additional information be added to the next Land Use activities report regarding the extent of the project.

**c. Cachuma Reservoir Current Conditions and 2011 Spill**

The daily operations report for Lake Cachuma through March 23, 2011 was included in the board packet.

**d. Operating Committee Meeting, March 2, 2011 Draft Minutes**

The draft minutes from the March 2, 2011 Operating Committee meeting were included in the board packet.

**e. CFCC Funding Fair, March 7, 2011**

Ms. Rees included the agenda from the California Financing Coordinating Committee Funding Fair she attended March 8, 2011 in Visalia, California.

**f. Lauro Dam Early Warning System Public Meeting, March 16, 2011**

The notice for the public information meeting for the Lauro Dam Early Warning System was included in the board packet. President Hanson thanked the staff for their efforts in preparing for this meeting.

**g. Public Meeting Regarding Kayaking on Lake Cachuma – Santa Barbara County Parks Department, March 4, 2011**

Ms. Rees reported on the public meeting she attended regarding kayaking on Lake Cachuma. The County is considering modifying their ordinance for recreation in Lake Cachuma to include kayaking and canoeing on the Lake, as was approved by the Bureau of Reclamation in their new long term Resource Management Plan.

**h. Fisheries Program Report**

The monthly Fisheries Program report was included in the board packet.

**i. NMFS Letter Regarding Biological Opinion Coverage for Quiota Creek Fish Passage Projects**

The U.S. Army Corps of Engineers (ACOE) is the lead agency for ESA Section 7 consultation for steelhead for the Quiota Creek fish passage project at Crossing 2. In response to a letter to NMFS requesting concurrence that the project would have no adverse effect, NMFS expressed their opinion that the project would have an adverse effect. The letter also stated that because the take provision in the Cachuma Biological Opinion (BO) had been exceeded in past years, and was likely to be exceeded again this year, the existing BO did not provide take coverage for the project. This is something that needs to be rectified during reconsultation in a new BO. In lieu of using the Cachuma BO, NMFS has recommended that the ACOE use the Department of Fish and Game's programmatic Biological Opinion which covers any project that is approved for grant funding from DFG's Restoration Grant Program.

The Board would like to have written clarification of the intent of NMFS letter regarding take coverage for Crossing 2, and what Reclamation's Biological Opinion requirements are for future fish passage projects with regard to permit applications.

## **10. Directors' Request for Agenda Items for Next Meeting**

Director Beebe requested a report on a possible loan to COMB for the two Quiota Creek projects from MWD and ID#1.

## **11. Meeting Schedule**

- The next regular Board meeting will be held April 25, 2011 at 2:00 P.M.

The Agendas and Board Packets are available on the COMB website,  
[www.cachuma-board.org](http://www.cachuma-board.org)


## 12. COMB Adjournment

There being no further business, the meeting was adjourned at 4:23 p.m.

Respectfully submitted,

  
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Kate Rees, Secretary of the Board

**APPROVED:**

  
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Lauren Hanson, President of the Board