

**MINUTES OF A SPECIAL MEETING**  
**of the**  
**CACHUMA OPERATION & MAINTENANCE BOARD**  
**held at**  
3301 Laurel Canyon Road  
Santa Barbara, CA  
**Friday, June 18, 2010**

---

**1. Call to Order, Roll Call**

The COMB meeting was called to order at 12:01 p.m. by President Williams, who chaired the meeting. Those in attendance were:

**Directors Present:**

Das Williams	City of Santa Barbara
Lauren Hanson	Goleta Water District
Doug Morgan	Montecito Water District
Robert Lieberknecht	Carpinteria Valley Water District

**Others present**

Kate Rees	Bill Hair (via phone)
Tom Mosby	John McInnes
Alex Keuper	Bill Ferguson
Matt Bloise	Alexandra Burnhill
Isaiah Brookshire	Ben Preston
Ruth Snodgrass	

**2. Public Comment**

There were no comments from the public.

**3. Projected Revised Schedule for 2<sup>nd</sup> Pipeline Project**

Ms. Rees reported that there is a potentially major time delay for the 2<sup>nd</sup> Pipeline Project due to additional studies needed prior to Reclamation issuing a National Historic Preservation Act (NHPA) Section 106 Permit for Cultural Resources. Reclamation received two letters from the Chumash Tribes on May 13, 2010, one from the Santa Ynez Band and one from the Barbareno band, requesting that additional analysis and field testing be carried out at two additional locations to determine if any archaeological artifacts might be present. Independent of the 2<sup>nd</sup> Pipeline Project, Reclamation has also recently completed a historic evaluation of the Cachuma Project, and will be recommending to SHPO that it be considered eligible for the inclusion in the National

Register as a historic landmark because it is over 50 years old and has historic significance. Consequently, this must also be included as part of the Section 106 permitting process. The 2<sup>nd</sup> Pipeline Project calls for the destruction of the existing south portal structure due to its deteriorated condition. Because the south portal structure is considered to be part of the Tecolote Tunnel, which has now been identified as a historic cultural resource, Reclamation needs to mitigate for the adverse effect by documenting its historic significance, and enter into a Memorandum of Agreement (MOA) with SHPO to address the adverse impacts. Reclamation has told COMB staff that an architectural historian needs to be hired to complete the evaluation and recordation of the south portal structure and archaeological spoil area around the south portal.

This delay also affects Reclamation's issuance of a construction permit for the project, which requires a Record of Decision signed for the Final EIS, which in turn requires that the Section 106 permit first be issued. In April, when the project was put out for bid, Ms. Rees and COMB's environmental and engineering consultants strongly believed that because COMB had met all of the Section 106 requirements, Reclamation would issue the permit by the end of May. This would have allowed ample time for Reclamation to complete the EIS process and issue the construction permit, prior to breaking ground for construction of the project. Therefore, Ms. Rees authorized the project to be bid.

Included in the board packet were: 1) a critical path flowchart of the actions that now have to take place before Reclamation can issue a Section 106 Permit; 2) a projected timeline assuming no additional buried resource investigation for buried resources is warranted; and 3) a projected timeline assuming additional buried resources field testing and investigation is needed. Ms. Rees stressed that the dates are estimated and subject to change, as there are tasks that have no deadline, such as the MOA with SHPO. The timelines will be updated as additional information is received.

The first step is to carry out a geomorphic probability study of the additional sites identified by the tribal representatives. In addition, historic evaluation and documentation of the south portal structure and surrounding spoil area needs to be done as quickly as possible. Ms. Rees reported that these new studies will push the schedule beyond the 90 day bid period, and that the good construction bid is at risk unless the contractor agrees to extend his bid for a longer time period.

Ms. Rees also reported that although the SWRCB staff cannot provide a guarantee, they have said they are confident that the one year extension requested by the County Water Agency for the Prop 50 grant will be approved, as there are several Santa Barbara projects bumping into the March 1, 2012 deadline. This would allow additional time to complete the 2<sup>nd</sup> Pipeline Project.

Directors Hanson and Morgan requested that Ms. Rees get a firm date from the lowest qualified bidder regarding how long he would be willing to hold his bid price for the 2<sup>nd</sup> Pipeline Project.

Bill Ferguson requested that some clarification be made on invoicing for the Prop 50 grant. Specifically, will the SWRCB pay invoices submitted after the March 1, 2012 deadline or pay only those invoices submitted up to the deadline. Ms. Rees will follow up on both of these requests.

**4. Proposed FY 2009-10 Budget Reallocation for Additional Consultant Work Required for Cultural Resources Permit for 2<sup>nd</sup> Pipeline Project**

Ms. Rees requested that the Board approve a FY 2009-10 COMB Budget reallocation for the 2<sup>nd</sup> Pipeline Project to complete the additional permitting work necessary for the Section 106 Permit for Cultural Resources. Included in the board packet were scopes of work from the consultants for the various tasks needed to complete the additional permitting work.

Director Hanson moved to approve recommendations 1 through 6:

1. Consider reallocation of \$95,000 in FY 2009-10 budgeted funds from Account 6096 – Structure Rehabilitation to Account 6092 – SCC Improvement and Design, to pay for additional consulting work needed for the regulatory permitting requirements for the SCC Upper Reach Reliability Project (2nd Pipeline Project).
2. Authorize General Manager to approve Purchase Order for Applied Earthworks for an archaeological geomorphology study and additional buried resources analyses, if warranted, for the 2<sup>nd</sup> Pipeline Project, to be approved by the General Manager in phases, as needed, not to exceed \$28,676.
3. Authorize General Manager to approve Purchase Order for Applied Earthworks for architectural historical resources recordation, evaluation, and documentation for the 2<sup>nd</sup> Pipeline Project, not to exceed \$19,198.
4. Authorize General Manager to approve Purchase Order for Entrix to assist and provide oversight of Applied Earthworks' archaeological geomorphology study and south portal historical architectural recording activities (Tasks 4 and 5 of the attached scope of work), and continuation of coordination of Section 106 permitting process and completion of NEPA EIS process (\$5,000 of Task 1e), not to exceed \$20,677.
5. Reserve \$18,000 for any future pre-construction project management or bid activities, and authorize General Manager to approve up to \$18,000 for AECOM to complete these activities, should they be needed.
6. Authorize General Manager to approve up to a 10% contingency amount of \$8,555 for the above work.

Seconded by Director Williams, passed 5/1/1, Director Morgan voted no and Director Bettencourt was absent.

Director Lieberknecht expressed his concern that if the lowest bidder agreed to hold his bid price until the permits were issued, change orders during construction could result in a higher project cost than anticipated. He recommended that the schedule should include rebidding the project after all permits were in hand. Ms. Rees said that is reflected in the timeline charts provided.

**5. COMB Adjournment**

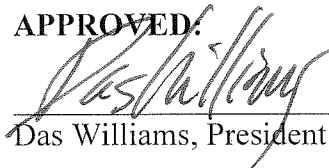
There being no further business, the COMB meeting was adjourned at 12:53 p.m.

Respectfully submitted,



Kate Rees, Secretary of the Board

**APPROVED.**



Das Williams, President