SPECIAL MEETING MINUTES

SANTA YNEZ RIVER WATER CONSERVATION DISTRICT
APRIL 23, 2025

A special meeting of the Board of Directors of the Santa Ynez River Water Conservation District was scheduled for Wednesday, April 23, 2025, at 6:00 p.m. at the Buellton City Council Chambers, 140 West Highway 246, Buellton, California. The meeting was delayed to 7:00 p.m. due to lack of quorum and majority attendance within the District at the scheduled time.

Directors Present: Philip Carpenter, Robert Dunlap, and Larry Lahr

Directors Present (teleconference): Steve Jordan, and Brett Marymee

Director Absent: None

Others Present (in-person): Bill Buelow, Paeter Garcia, Alex Pappas, and Amber Thompson

Others Present (teleconference): Michelle Gearhart (Adamski Moroski Madden Cumberland Green), Curtis Lawler (Stetson Engineers), and Steve Torigiani (Young Wooldridge)

1. CALL TO ORDER AND ROLL CALL

President Lahr called the meeting to order at 7:01 p.m. Ms. Thompson called roll. All Directors were present providing a quorum.

Director Jordan attended the meeting via teleconference from 31811 South Coast Highway, Laguna Beach, CA. Director Marymee attended the meeting via teleconference from Embassy Suites by Hilton, La Quinta Hotel & Spa, 50-777 Santa Rosa Plaza, La Quinta, CA. The teleconference locations were properly noticed. No members of the public joined Director Jordan or Director Marymee at either location.

2. PLEDGE OF ALLEGIANCE

President Lahr led the Pledge of Allegiance.

3. ADDITIONS, IF ANY, TO THE AGENDA

There were no additions.

4. PUBLIC COMMENT

There was no public comment.

5. CONSIDERATION OF THE MINUTES OF THE REGULAR MEETING HELD MARCH 19, 2025

President Lahr submitted the minutes of the Regular Meeting held March 19, 2025, for Board approval. There was no discussion or public comment.

Director Carpenter made a **MOTION** to approve the minutes of the Regular Meeting held March 19, 2025, as presented. Director Dunlap seconded the motion, and the motion passed 5-0-0 by the following roll call vote:

AYES, Directors: Carpenter, Dunlap, Jordan, Lahr, Marymee
NOES, Directors: None
ABSENT, Directors: None

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6. PUBLIC HEARING ON THE 47TH ANNUAL ENGINEERING AND SURVEY REPORT ON WATER SUPPLY CONDITIONS OF THE SANTA YNEZ RIVER WATER CONSERVATION DISTRICT, A SUMMARY OF FINDINGS FOR THE PREVIOUS WATER YEAR (2023-2024), CURRENT WATER YEAR (2024-2025), AND ENSUING WATER YEAR (2025-2026)

a. Public Hearing

President Lahr opened the Public Hearing at 7:08 p.m.

Mr. Paeter Garcia, Santa Ynez River Water Conservation District, Improvement District No. 1, reported that he emailed a written comment on the Annual Report that afternoon and he reviewed some of the items in the written comment. Ms. Thompson announced that said comment was received by email on April 23, 2025 at 3:59 p.m.

No other public comments were made.

Mr. Buelow stated that staff, legal counsel, and Stetson Engineers quickly reviewed the emailed comments. Mr. Torigiani provided legal points in response to Mr. Garcia's email and verbal comments, and stated that he disagrees with the legal points made in Improvement District No. 1's comments, many of which relate the District's authority to continue to levy a groundwater charge on Zone E groundwater production.

Mr. Buelow introduced Mr. Lawler, Stetson Engineers, who presented a review of the Annual Report. Discussion followed.

Ms. Thompson announced that she received the 47th Annual Engineering and Survey Report on Water Supply Conditions of the Santa Ynez River Water Conservation District, A Summary of Findings for the Previous Water Year (2023-2024), Current Water Year (2024-2025), and Ensuing Water Year (2025-2026), dated March 3, 2025 (Report) in writing on March 3, 2025, and that she posted it on the District's website for public access. The public hearing was properly noticed on April 9, 2025 in the Lompoc Record and April 10, 2025 in the Santa Ynez Valley News. The Report has been available for more than the required 30-day review period including availability to the public on the District's website and at the District office.

President Lahr closed the Public Hearing at 7:38 p.m.

b. Receive Board Comments

Comments were received from various members of the Board of Directors and discussion followed.

c. Consider Approval and Acceptance of Annual Report Including the Findings and Determinations Therein and Any Appropriate Revisions

Director Carpenter made a **MOTION** to approve and accept the 47th Annual Engineering and Survey Report on Water Supply Conditions of the Santa Ynez River Water Conservation District, A Summary of Findings for the Previous Water Year (2023-2024), Current Water Year (2024-2025), and Ensuing Water Year (2025-2026) including the Findings and Determinations therein. Director Dunlap seconded the motion, and the motion passed 5-0-0 by the following roll call vote:

AYES, Directors: Carpenter, Dunlap, Jordan, Lahr, Marymee
NOES, Directors: None
ABSENT, Directors: None

7. APPOINTMENTS OF BOARD REPRESENTATIVES, DESIGNATED WITH AUTHORITY TO VOTE ON BEHALF OF SYRWCD TO THE CENTRAL MANAMGEMENT AREA GSA JPA: DIRECTOR AND ALTERNATE DIRECTOR

Director Lahr reported that he needed to resign from the Director position with the CMA GSA Board due to other obligations. Discussion followed. No public comments were received.

Director Lahr made a **MOTION** to appoint Director Dunlap as Director and Director Marymee as Alternate Director to the Central Management Area GSA Board of Directors. Director Carpenter seconded the motion. The motion passed 5-0-0 by the following roll call vote:

AYES, Directors: Carpenter, Dunlap, Jordan, Lahr, Marymee
NOES, Directors: None
ABSENT, Directors: None

8. PRELIMINARY DRAFT FISCAL YEAR 2025-2026 ANNUAL BUDGET

Mr. Buelow presented his staff memo and the Preliminary Draft Fiscal Year 2025-2026 Annual Budget. Discussion followed. There was no public comment.

The Board did not request any changes and directed Mr. Buelow to proceed as he is to prepare a Fiscal Year 2025-2026 Annual Budget.

9. GENERAL MANAGER REPORT Status and Discussion on the Following Topics:

a. Surface Water Program

Mr. Pappas reported that the District provided notice to all appropriate agencies that the District did not intend to call for a Water Rights Release for 2025, subject to the proviso that such decision was subject to change based on future conditions. He reported that the Bureau of Reclamation has not yet provided drafts of the Biological Assessment. Discussion followed. There was no public comment and no action.

b. Groundwater Program

Mr. Buelow provided a brief update on the District Groundwater Program. There was no discussion, no public comment and no action.

c. Sustainable Groundwater Management Act

i. WMA, CMA, and EMA

Mr. Buelow reported that the CMA, EMA, and WMA GSAs are seeking to establish Groundwater Management Fees through the Proposition 218 process. All Notices have been approved and are being sent to printer for finalization and mailing. Each GSA will hold a Public Hearing in late June 2025. In addition, each GSA plans to calculate the fees per APN and submit the amounts due for payment through the County Tax Roll with some groundwater users to be billed directly by the GSAs. There was no discussion, no public comment, and no action.

ii. Proposition 68 Grant Reimbursements, Projects, and Management Actions

Mr. Buelow provided an update of Proposition 68 Grant Reimbursements requested from DWR and allocations to the GSAs.

He reported that he submitted a letter to each GSA regarding the District's cost for preparation of the Action Plan for the GSPs, which was adopted by each GSA, along with a request that the Prop 68 Grant reimbursement of those funds spent by the District be considered a Loan Contribution to the GSA from the District upon transfer of the grant reimbursement to the GSA's bank account. He reported that the CMA and EMA GSAs approved the request while the WMA GSA generally approved but will address the request with the next Loan Contribution request. There was no discussion, no public comment, and no action.

iii. Review and Consider Additional Funding for the WMA, CMA, and EMA in FY 2025-2026

Mr. Buelow reported that the CMA, EMA, and WMA GSAs will need Loan Contributions from GSA member agencies soon. He expects the Fiscal Year 2025-2026 requests of the District will total $225,000 from the three GSAs,

subject to repayment by the GSAs but not until Fiscal Year 2026-2027 or 2027-2028. Discussion followed. There was no public comment and no action.

iv. Consider Further Amendment to SGMA Implementation Grant Agreement No. 4600015625

Mr. Torigiani reported on a recent request received from DWR representatives to make a minor change language in the Grant Agreement No. 4600015625 to clarify the CEQA compliance requirement, where applicable. This will require an amendment to the Grant Agreement. More specifically, DWR would like to remove language requiring a notice of exemption and replace that language with general language as to how CEQA may be complied with. He recommended the Board give authority to execute the Grant Amendment to the General Manager in a form acceptable to Legal Counsel. Discussion followed. There was no public comment.

Director Dunlap made a **MOTION** to authorize the General Manager to execute the minor amendment to change the CEQA language of the Grant Agreement No. 4600015625, consistent with Legal Counsel's description of the change required by DWR. Director Carpenter seconded the motion. The motion passed 5-0-0 by the following roll call vote:

AYES, Directors: Carpenter, Dunlap, Jordan, Lahr, Marymee
NOES, Directors: None
ABSENT, Directors: None

Director Lahr requested that the Grant Amendment be distributed to the Directors after execution.

10. REPORT ABOUT FIELD TRIP TO UNITED WCD'S FREEMAN DIVERSION

Mr. Buelow reported that Director Marymee requested the topic be added to the agenda. Director Marymee provided a report on the field trip he attended to United Water Conservation District's (WCD) Freeman Diversion in Ventura area. Discussion followed and public comment was received from Mr. Garcia.

Director Marymee wanted more study and discussion about diversion options or possibilities for groundwater recharge in the Santa Ynez River Valley. He relayed an interest by United WCD to visit the Santa Ynez River Water Conservation District and possibly Bradbury Dam and Cachuma Reservoir.

11. ATTORNEY REPORT

Mr. Torigiani summarized a recent 5th Appellate District published opinion on the Kern River regarding the application of Fish and Game Code section 5937 being subject to the reasonable use requirement of the Article X, Section 2 of the California Constitution. Mr. Torigiani also noted that his office is preparing a legal update on this and other recent cases

and legal developments, which he will circulate to the Board.

12. REPORTS, ACTS BY BOARD MEMBERS, QUESTIONS OF STAFF, STATUS REPORTS, ANNOUNCEMENTS, OBSERVATIONS, AND OTHER MATTERS, AND/OR COMMUNICATIONS NOT REQUIRING ACTION

Director Jordan recalled prior attempts years ago to divert water in Lompoc area for low cost but was not successful. He pointed out that Mission Hills CSD owns two recharge ponds that are currently vacant.

Mr. Buelow thanked staff for all efforts on the Annual Report and GSA administrative services efforts, especially with the GSAs' Prop 218 process, during the last few months.

13. REQUESTS FROM THE BOARD OF DIRECTORS FOR ITEMS TO BE INCLUDED ON THE NEXT AGENDA

Director Marymee requested a follow up by staff on ways the District can enhance the groundwater of the District.

14. NEXT REGULAR MEETING IS SCHEDULED FOR JUNE 17, 2025, AT 5:30 P.M. AT THE BUELLTON CITY COUNCIL CHAMBERS, 140 WEST HIGHWAY 246, BUELLTON, CALIFORNIA

President Lahr announced that the next scheduled regular meeting of the Board meeting will be June 17, 2025, at 5:30 p.m., at the Buellton City Council Chambers, 140 West Highway 246, Buellton, California.

15. CLOSED SESSION

The Board convened in to Closed Session from 8:40 p.m. to 9:00 p.m. to discuss the following items:

a. Conference with Legal Counsel - Pending Litigation (Gov. Code, § 54956.9, subd. (d)(1)): Wolff vs SYRWCD, Superior Court of California, County of Santa Barbara, Case No. 20CV01552 and Case No. 22CV02062

b. Conference with Legal Counsel – Pending Litigation (Gov. Code, § 54956.9, subd. (d)(1)) relating to proceedings pending before the State Water Resources Control Board (SWRCB) regarding Permits 11308 and 11310 issued on Applications 11331 and 11332 of the United States Bureau of Reclamation for the Cachuma Project, and complaints filed by the California Sport Fishing Protection Alliance regarding the operation of the Cachuma Project and SWRCB Order WR 89-18; proposed changes to the place and purpose of use of waters obtained through aforementioned permits for the Cachuma Project; and Reclamation's Petition for Reconsideration or Rehearing re Order WR 2019-0148; and proceedings related to SWRCB Permit No. 15878 (Application A022423) held by the City of Solvang including the City of Solvang's Petitions for Change and Extension of Time.

c. Conference with Legal Counsel – Pending Litigation (Gov. Code, § 54956.9, subd. (d)(1)): In the matter of Petition for Change of City of Solvang for Water Right Permit No. 15878 (Application A022423), which authorizes diversion of water from the Santa Ynez River (underflow) in Santa Barbara County, pending before the State Water Resources Control Board Office of Administrative Hearings.

d. Conference with Legal Counsel – Anticipated Litigation (Gov. Code, § 54956.9, subd. (d)(2)): Significant exposure to litigation (Two Matters).

e. Conference with Legal Counsel – Anticipated Litigation (Gov. Code, § 54956.9, subd. (d)(4)): Possible initiation of litigation (Two Matters).

13. RECONVENE INTO OPEN SESSION / CLOSED SESSION REPORT

President Lahr advised there is nothing to report from Closed Session.

14. ADJOURNMENT

There being no further business, President Lahr adjourned the meeting at 9:00 p.m.

Larry Lahr, President

Amber M. Thompson, Secretary