



State of California – Natural Resources Agency
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
Office of the General Counsel
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Sacramento, CA 94244-2090
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



June 5, 2025

BY EMAIL ONLY

Jennifer Richardson
Division Chief, Office of County Counsel
County of Santa Barbara
105 East Anapamu Street #201
Santa Barbara, CA 93101
jrichardson@countyofsb.org

SUBJECT: RELEASE OF PERFORMANCE SECURITY FOR DEBRIS NETS PROJECT, SANTA BARBARA COUNTY RESOLUTION NO. 19-223

Dear Ms. Richardson:

On August 27, 2019, the Board of Directors for the Santa Barbara County Flood Control and Water Conservation District (“District”) adopted Resolution No. 19-223 (“resolution”). The resolution approved a restricted fund balance in the amount of \$1,042,700 to satisfy the performance security requirement for The Project for Resilient Communities’ (“TPRC”) “Debris Nets Project” in Montecito.

On November 17, 2023, the California Department of Fish and Wildlife sent a letter to Santa Barbara County’s (“County”) Executive Officer, Mona Miyasato, requesting the District to issue a check to the contractor that removed TPRC’s debris nets, Access Limited Construction (“ALC”), in the amount of \$343,506 to be drawn from the security, for the reasons set forth in the letter. On April 25, 2024, Ms. Miyasato sent a letter to the Department explaining that disbursing the funds to a private entity would be inconsistent with the express terms of the resolution. As Ms. Miyasato noted, “[t]he District established the Restricted Fund Balance ‘upon the express condition that **the District’s only responsibility shall be to distribute those restricted funds to the California Department of Fish and Wildlife in the event of non-performance**’ by TPRC.” (Emphasis in original.) For this reason, in addition to a separate concern, the County denied the Department’s request.

In April 2025, TPRC requested the County release \$389,202 to TPRC to address their non-performance in completing payment of the non-federal share match to ALC. To resolve this matter and act consistent with the resolution, the County has proposed issuing a check to the Department in the amount of \$389,202 and releasing the remainder of the security to the District to use for flood control purposes. The Department would then issue a check to TPRC in the amount of \$339,202, retaining \$50,000 to be used for offsite mitigation.

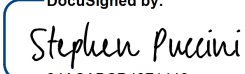
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This letter confirms the Department accepts the county's proposal. To this end, the Department further confirms the following:

- Upon the Department's receipt of a check made payable to the "California Department of Fish and Wildlife" in the amount of \$389,202:
 - The District will be released by the Department in all respects from any future obligations relating to the \$1,042,700 performance security restricted in favor of the Department, as described in the resolution. This release is made upon the express condition that the District deliver the check to the Department within 10 days after the date of this letter, unless the Department agrees to an extension in writing.
 - All obligations under Streambed Alteration Agreement No. 1600-2020-0076-R5, dated September 30, 2021, issued for TPRC's Debris Nets Project will be fully satisfied.

If you have any questions or concerns, I can be reached at (916) 704-3304 or stephen.puccini@wildlife.ca.gov. Thank you for your assistance.

Sincerely,

DocuSigned by:

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Stephen Puccini
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