



BOARD OF
SUPERVISORS AGENDA
LETTER

Agenda Number:

Clerk of the Board of
Supervisors 105 E. Anapamu
Street, Suite 407 Santa
Barbara, CA 93101
(805) 568-2240

Department Name: CEO/PW Water
Agency

Department No.: 012/054

For Agenda Of: September 17, 2019

Placement: Departmental

Estimated Time: 30 minutes

Continued Item: No

If Yes, date from:

TO: Board of Supervisors
Board of Directors, Water Agency

FROM: Department Director (s): Mona Miyasato, County Executive Officer
Scott D. McGolpin, Public Works Director, 805-568-3010

Contact Info: Matt Pontes, Assistant County Executive Officer
Thomas D. Fayram, Deputy Public Works Director, 805-568-3436
Richard Morgantini, Fiscal & Policy Analyst, 805-568-3551

SUBJECT: Response to 2018-2019 Grand Jury Report: The Cachuma Project Contract and Management

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form N/A

Other Concurrence: N/A

Recommended Actions:

That the Board of Supervisors:

- a) Consider and adopt the responses in Attachment A as the Board of Supervisors' and the Santa Barbara County Water Agency's combined response to the 2018-2019 Grand Jury report entitled "The Cachuma Project Contract and Management. Whiskey Is For Drinking - But MUST We Fight Over Water?", Attachment B; and
- b) Authorize the Chair to sign the letter included in Attachment A and forward the letter and responses to the Presiding Judge of Santa Barbara County Superior Court; and
- c) Determine pursuant to CEQA Guidelines 15378(b)(5) that the above actions are not a project subject to CEQA review, because they are government administrative activities that does not result in direct or indirect physical changes to the environment.

That the Board of Directors of the Santa Barbara County Water Agency:

- a) Consider and adopt the responses in Attachment A as the Board of Supervisors' and the Santa Barbara County Water Agency's combined response to the 2018-2019 Grand Jury report entitled "The Cachuma Project Contract and Management. Whiskey Is For Drinking - But MUST We Fight Over Water?", Attachment B; and
- b) Authorize the Chair to sign the letter included in Attachment A and forward the letter and responses to the Presiding Judge of Santa Barbara County Superior Court; and
- c) Determine pursuant to CEQA Guidelines 15378(b)(5) that the above actions are not a project subject to CEQA review, because they are government administrative activities that does not result in direct or indirect physical changes to the environment.

Summary Text:

On June 26, 2019, the Santa Barbara County Grand Jury published a report entitled "The Cachuma Project Contract and Management. Whiskey Is For Drinking - But MUST We Fight Over Water?". Today, the Board will consider the proposed response to the report, adopt their preferred response and authorize the Board Chair to sign the response letter. The Board is required to respond in writing to the Presiding Judge of the Superior Court by September 25, 2019.

The Grand Jury previously reported on the Cachuma Project in FY 2016-17 in their Managing Regional Water Supplies report. Attachment C is a copy of that report for reference.

Background:

On June 26, 2019, the Santa Barbara County Grand Jury published a report entitled "The Cachuma Project Contract and Management. Whiskey Is For Drinking - But MUST We Fight Over Water?" The Grand Jury recommends that: "The Santa Barbara County Water Agency (SBCWA) and the Member Units speak with one voice to the Bureau on vital decisions, especially in regard to the quantities of water to be diverted to the Member Units each year. Regular meetings of the technical staffs could alleviate disagreements prior to presentation to the Bureau. When disagreements do occur and cannot be resolved, the positions of all parties should be given equal weight".

The Grand Jury also recommends that "The current Contract needs more than revision. Its terminology is often ambiguous as several different technical terms can mean the same thing, and a single technical term can have several meanings. Its coverage is outdated and does not address the challenges of the future, especially the expected disruptions due to climate change. The Jury recommends planning to revise outdated provisions every five years. Local websites and other information sources leave questions for which documented answers are not readily available. This report fills some of the gaps and recommends that local agencies combine to create a website which provides the essentials about the Project and gives links to more complex material".

In FY 2016-17 the Grand Jury also released a report on the Cachuma Project entitled "Managing Regional Water Supplies". That report is included as Attachment C.

The Board of Supervisors and the SBCWA are named as responders to Findings 1 through 9 as well as Recommendations 1-9.

Fiscal and Facilities Impacts:

Staff anticipates no fiscal or facilities impacts as a result of the Board's action on this matter.

Special Instructions:

1. As per Recommendation b, please forward the original signed letter and responses to the Presiding Judge of Santa Barbara County Superior Court.
2. Please send a copy of the signed letter and a copy of the minute order to Richard Morgantini, Fiscal & Policy Analyst, CEO office.

Attachments:

Attachment A: Board of Supervisors Response

Attachment B: FY 2018-19 Grand Jury Report

Attachment C FY 2016-17 Grand Jury Report Managing Regional Water Supplies

Authored by:

Richard Morgantini, Fiscal & Policy Analyst, County Executive Office