

**RESOLUTION OF THE
BOARD OF DIRECTORS OF THE SANTA BARBARA COUNTY
FLOOD CONTROL AND WATER CONSERVATION DISTRICT
STATE OF CALIFORNIA**

**A RESOLUTION TO APPROVE WATER)
MANAGEMENT TOOLS AMENDMENT)
(AMENDMENT 21) TO STATE WATER)
PROJECT WATER SUPPLY CONTRACT)
SUBJECT TO CERTAIN LIMITATIONS)
TO MAINTAIN LOCAL WATER SUPPLY)
RESOLUTION NO. 21-73**

WHEREAS, the California Department of Water Resources (DWR) owns, operates, and maintains the California State Water Project (SWP), which delivers water throughout California, including to Santa Barbara County, and

WHEREAS, DWR has entered into the water supply contract with the Santa Barbara County Flood Control and Water Conservation District (District) on February 26, 1963, to provide water supply from the SWP to Santa Barbara County from the SWP (Water Supply Contract), and

WHEREAS, the Central Coast Water Authority (CCWA) is a joint powers authority comprised of eight member agencies, and is a wholesale water provider to 13 water districts and private companies in Santa Barbara County, and another 11 water purchasers in San Luis Obispo County, and

WHEREAS, CCWA was formed in 1991 to construct, manage, and operate Santa Barbara County's local facilities for distribution and treatment of the SWP water supply for the District, and

WHEREAS, the District has transferred certain rights and responsibilities under the Water Supply Contract with DWR to CCWA, as documented in the 1991 Transfer of Financial Right Agreement, and

WHEREAS, DWR and SWP Contractors negotiated a water supply contract amendment creating new tools for water management, Amendment 21 to the Water Supply Contract, including clarifying rules on exchanges and allowing direct sale of water between SWP contractors, and

WHEREAS, in a letter dated October 28, 2020, CCWA requested that the District's Board of Directors execute the Water Management Amendment, and

WHEREAS, the Board considered CCWA's request on March 2, 2021 and April 2, 2021 but highlighted concerns, and

WHEREAS, between 1963 and 1986 the entire County tax base paid for SWP capital costs in recognition that the entire County required a stable external supply of water for residents and businesses, and

WHEREAS, between 2012 and 2019, and possibly continuing to this day, the County experience a severe drought, and

WHEREAS, sale of water from CCWA member agencies to SWP contractors outside of the County is detrimental to the County-wide water supply unless sold to another in County purveyor, or accompanied by a replacement supply.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS, that the Board of Directors of the District declares and directs as follows:

1. That the foregoing recitals are true and correct.
2. That a stable water supply for the County is essential for public health and safety, as well as economic stability Countywide.
3. That the recent drought illustrated that the County's water supplies were not adequate to meet the water supply needs within the County resulting in areas of the County reverting to severe reductions in water use.
4. That the Water Supply Amendment to the SWP Contract, Amendment 21, shall be implemented in a manner to address protection of the existing long-term water supplies of the County, recognizing that the SWP is a regional supply and should be used to balance water needs within the County, under the follow principles:
 - a. That requests for purchases of water outside the County to meet local water supply needs are generally recognized as beneficial and may be reviewed and approved by Director of the District, or his or her designee.
 - b. That transfers and sales of SWP water should be prioritized to purveyors inside the County to preserve and maximize the County's available water supplies.
 - c. That all requests for sales and transfers of SWP water outside the County, in accordance with Amendment 21, shall be presented to the Board for approval only after there are no in-county transfer options and the sale or transfer meets the following criteria;
 - i. That exchanges should be a minimum 1:1 so that they will not reduce the long-term water supplies, unless otherwise approved by the Board based on evidence of the benefits of the proposed transaction to the County.
 - ii. That sales of local SWP water to SWP Contractors outside the County would be considered for approval by the Board based on meeting the following:
 1. Right of first refusal for in-county agencies be offered first at a reasonable cost to in-county water purveyors; and
 2. That any sale of SWP outside the County also show an equivalent replacement of a new local supply.

- d. Changes in conditions may necessitate additional requirements, and changes in water supplies will require the Board to evaluate any transaction based on in-county conditions at the time.

PASSED, APPROVED, AND ADOPTED by the Board of Directors of the Santa Barbara County Flood Control and Water Conservation District, State of California, on this 20th day of April, 2021 by the following vote:

AYES: Supervisors Williams, Hart, Hartmann, Nelson and Lavagnino

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

ATTEST:
 MONA MIYASATO,
 COUNTY EXECUTIVE OFFICER
 Ex Officio Clerk of the Board Directors
 of the Santa Barbara County Flood
 Control and Water Conservation District

ACCEPTED AND AGREED:
 SANTA BARBARA COUNTY FLOOD
 CONTROL AND WATER CONSERVATION
 DISTRICT

By: *Shirley de la Guerra*
 Deputy

By: *Bob Nelson*
 Bob Nelson, Chair, Board of Directors

APPROVED AS TO FORM:
 MICHAEL C. GHIZZONI
 COUNTY COUNSEL

DocuSigned by:
Johannah Hartley
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 By: _____
 Deputy

This is a true certified copy of the original document on file or of record in my office. It bears the seal and signature, imprinted in purple ink, of the Clerk of the Board of Supervisors.

Mona Miyasato
 Clerk of the Board, Santa Barbara County, California
 Date 5-4-21 by Deputy: *Shirley de la Guerra*

