

Minutes of the Casitas Municipal Water District  
Board of Directors Special Meeting Held  
December 11, 2006

A special meeting of the Board of Directors was held December 11, 2006 at Casitas' Office, Oak View, California. Directors Baggerly, Word and Hicks were present. Director Kaiser and Bennett were absent. Also present were John Johnson, General Manager, Rebekah Vieira, Clerk of the Board and Brian Roney, Park Services Manager. There were no members of the public in attendance. Participants in the conference call included Bob Epperson, Jack Collins, Mike Delamore, Steve Kellogg, Bob Wignot and Pat Baggerly.

1. Public comments.

None

2. Board of Director comments.

None

3. Conference Call with Bureau of Reclamation

A. Status of RMP Process to include new timelines and discussions regarding CEQA and NEPA

The Bureau of Reclamation received the initial draft of alternates from Steve Kellogg last week and they have scheduled a meeting next Thursday. They would like to set a meeting with Casitas to review the alternatives in January. This will include a table of the Summary of issues, the opportunities and constraints and management elements with alternative. This will be the roadmap from which the RMP narrative will be drafted. Mr. Johnson asked how long it will take until the draft RMP is completed. The answer was three months after the meeting with the district or from the time there is agreement going forward. Mr. Epperson from the Bureau then explained that the administrative draft review process takes about a month and then two months to the final draft. He is expecting a July time frame to have a final draft to be sent to Sacramento. Sacramento takes 10 weeks to get through their approval process so in Mid October public hearing could be held and by the end of 2007 there could be a record of decision.

Regarding the joint CEQA/NEPA the bureau wants to be sure that have a basis for a joint CEQA/NEPA and will have that answered for the meeting in January. Mr. Johnson voiced his concern that Reclamation may do some things that Casitas is not involved in and we may need to prepare something that will allow us to take different actions. Mr. Johnson continued that our board would not adopt things that the board said it would not do. He asked if the Bureau is going to do all the CEQA work. Mr. Epperson responded that they hope to do it all within the same contract unless they see things are more divergent. Mr. Johnson then responded that the district had taken up body contact and felt it is not the direction we were taking. We rejected that alternative and he is not

sure that the board would approve body contact. Mr. Epperson responded that they are not certain that would be selected out of the process due to the capacity of the treatment plant. Mr. Johnson then added that with CEQA if it doesn't cover the topic well our board could not adopt it if it is not satisfactory. Mr. Epperson responded that the goal is to cover it thoroughly.

Director Baggerly mentioned that at the previous meeting held at Lake Casitas Recreation Area the Bureau mentioned that the actions for the RMP rest with the contracting agency. If body contact is recommended Casitas would not have to implement it. Mr. Epperson responded that is correct. It is a broad brush guess. Laws, money may demand it not be developed. All of this comes into play. Director Baggerly added that the districts primary concern and primary mission is to provide water and we have to make sure that we maintain the ability and right to protect that mission. Mr. Epperson replied that this is stated up front and recreation can not interfere with the primary purpose.

Mr. Johnson asked if Reclamation is considering any management agencies other than Casitas. Mr. Epperson responded that in the Watershed yes. The public interest is not in significant development but in limited day use for hiking and it is not cost effective for Casitas to manage with law enforcement issues more prevalent there. The Forest Service could manage the open space north of Highway 150. Mr. Johnson replied that the regarding the open space the community wanted to protect the watershed and there is concern over separation of protecting water quality and other activities. Mr. Epperson replied that watershed protection would be the mission of the Forest Service.

Mr. Johnson then asked what actions are being taken to ensure the timing is being taken care of. Last June it was suggested we would have a draft in September and the final in January. Mr. Epperson responded that workload entered into that and John Gray died and URS has shifted the workload to the Oakland Office. Mr. Johnson responded that those were the same words used in June. Is the schedule realistic? Steve Kellogg of URS explained that there had been some staff turnover and the assistant Project Manager left. They have added more staff to this project. Mr. Kellogg added that it is a year process after getting agreement in January it would take 11-12 months from there. His experience with other RMPs is the biggest delays come in the review process. Mr. Epperson added that Millerton waited 18 months for the State of California to respond. It can be from a few weeks to months. A lot is in the hands of Casitas. Mr. Kellogg added that it helps to have a sit down, face to face meeting to resolve any issues.

Director Hicks mentioned that the district has some concerns regarding a bike trail that we need now and we need to move a dump station as someone could get hurt. Mr. Epperson responded that they have a list that Brian sent and they have gone through it. Those suggestions they can agree with are approved to go ahead. They need to deter ones that need environmental documents. Director Word asked when we would have the list. Mr. Epperson replied we hope to have the discussion before the end of the month and identify which ones need environmental documents and ones that don't. The dump station will need environmental documents. Director Word added it would be helpful to get that list and to move ahead. We are willing to do what is necessary. Mr. Epperson mentioned that they met with Brian Roney in June and he showed us some of it and it

seemed reasonable. We have the package he sent us and still have some questions that he would like to go over with Brian. Brian Roney asked if they could set up a conference call between now and Christmas to go over the questions. Brian then asked if Casitas could receive Cachuma's draft when it becomes public. Mr. Epperson suggested viewing it from the website.

B. Status of Interim Agreement

Mr. Epperson stated they would like to go ahead with an interim agreement. It was determined that this would be discussed at the meeting in January there would be discussion about a timeline for an interim agreement.

C. Status of the ability to issue long term agreements such as a five year agreement for the Wine Festival and a ten year agreement for new concessionaires.

Mr. Johnson asked if we have authority to sign another five year agreement for special events. Mr. Epperson replied yes as long as you have the language we talked about. He added they would like concurrent signature and environmental documents on the wine festival. Director Word asked if they wanted that for a one year agreement. Mr. Epperson responded that it is similar to a Bass tournament and no environmental is done. He continued that almost any contract we enter into we are required to do environmental. Director Baggerly added that it is a categorical exclusion. Mr. Epperson responded yes.

Mr. Johnson asked about the approval process for concessionaire agreements as there are a number coming up for renewal at the end of 2008. Mr. Epperson replied that the interim agreement will deal with this. Santa Barbara County gave two year extensions. He added that we should work on areas of greater concern first. He continued that changes in language would be due to cultural change and in the past all previous agreement were written prior to NEPA. He is looking to formalize those procedures so there is less confusion in the future.

Mr. Johnson asked if all revenue from recreation is expected to go to the Federal Government first and if they are considering that. Mr. Epperson said the Land Management Agreement is to avoid that. If we do not have any agreement all revenue is turned over to the general treasury. Mr. Johnson asked for the citation for that requirement and could Mr. Epperson provide that. Mr. Epperson said he would provide that to Mr. Johnson. He continued that there is new language and it looks like Federal Lands Recreation enhancement Act has provisions that appears 100% of funds retained on site for recreation. This was passed in 2002 regarding commercial zoning requirement permit from Federal Government that funds from that can be retained on site.

Director Baggerly asked Mr. Delamore to understand that we are in between a rock and a hard place. We have short term maintenance issues. The interim agreement is important to be able to operate in a cost effective manner and we need the timeline to be met. Mr. Delamore stated he understood and the message is heard.

- D. Discussion regarding the ADA Project List including funding, deadlines and any NEPA/CEQA issues.

Mr. Epperson reported that there are ADA requirements for all recreation facilities and there needs to be a reasonable effort to make facilities compliant. Mr. Johnson added that the e-mail suggestion a review and \$2 million in ADA modifications. Mr. Epperson added that the goal of the commission is to have the ADA modifications complete by 2010 but he does not think that will happen. They have some budget on a 50/50 basis to work on some of these but that has been cut to zero in the first round of budgeting for 2009. Mr. Johnson added that the people in the State of California have passed Proposition 218 which provides that the district can only charge water customers for the service that they use. Recreation has to pay for itself. It appears Recreation is going the wrong way. There are no funds to invest and no way to raise the funds for ADA. This is a catch 22 and we can't expand the facility because of the RMP. Mr. Epperson responded that you are not required to upgrade existing facilities unless they are modified. Applying ADA to recreation is not a complete and forward process. Not everything will be made ADA, the regulation requires you to make a reasonable effort. Mr. Epperson asked that we provide information so they can try to get funding. Mr. Johnson asked if they need the information to put into their budget and Mr. Epperson responded yes, the list of projects will help us justify the budget. The information needs to be provided before June which is when their budget requests need to go in.

- E. Short Term Project List Approval

Mr. Epperson and Brian Roney will discuss the short term project list in a conference call sometime within the next two weeks.

- F. Other Projects being approved

Mr. Johnson asked how projects are being approved for others but not for us such as the pig launcher system in the watershed. Mr. Epperson responded he was not aware of that. Mr. Delamore indicated that he would look into it and get back with the District that day.

- G. The issue at 95 Larimer, Oak View

This issue is being discussed with Katy Allen and Mike Delamore will follow up this issue with the Government Council.

The meeting was adjourned at 11:13 a.m.