

Minutes of the Casitas Municipal Water District  
Board Meeting Held  
February 10, 2010

A meeting of the Board of Directors was held February 10, 2010 at Casitas' Office, Oak View, California. Directors Handley, Kaiser, Word, Baggerly and Hicks were present. Also present were Steve Wickstrum, General Manager, Rebekah Vieira, Clerk of the Board, and Attorney, John Mathews. There were four staff members and nine members of the public in attendance. President Handley led the group in the flag salute.

1. Public comments.

None

2. General Manager comments.

Mr. Wickstrum informed the board that since January 17<sup>th</sup> the lake had risen 4.25 feet. Two fish were spotted through the Vaki. One on January 28<sup>th</sup> and one on February 4<sup>th</sup>. It is unknown yet if they were steelhead.

The Recreation Area report outlines difficulties of Department of Fish & Game in planting trout. DFG will be conducting investigations of lakes where there are concerns if trout would get in areas that would compete with endangered species. We tentatively have a meeting scheduled with Dr. Maxwell in March. This may affect issuance of planting permits for next year.

3. Board of Director comments.

Director Kaiser asked if the trespasser was out of the diversion canal. Carol Belser reported the deer got out of the canal safely. Director Kaiser then mentioned his conversations with bass fisherman who stated they have not run across skinny bass. The bass appear to be plump and eating well out there.

4. Consent Agenda

ADOPTED

- a. Minutes of the January 9, 2010 Board Meeting.
- b. Minutes of the January 27, 2010 Board Meeting.

The consent agenda was offered by Director Baggerly, seconded by Director Kaiser and passed.

5. Bills

APPROVED

Director Hicks questioned #01535 for the new roof on the gate house. Mr. Wickstrum reported this is for the roof over the large entrance. Director Word questioned the need for repairs as he thought part of the roof was to be removed. Mr. Wickstrum stated that other options have been discussed and we are not looking to remove the roof at this time.

On the motion of Director Kaiser, seconded by Director Word and passed, the bills were approved.

6. Committee/Manager Reports APPROVED FOR FILING
- a. Recreation Committee Minutes
  - b. Executive Committee Minutes

On the motion of Director Kaiser, seconded by Director Hicks and passed, the Committee/Manager reports were approved for filing.

7. Consideration of the request by the County of Ventura regarding the preliminary concept to dispose of sediments above Matilija Dam and recommendation to support the concept and provide direction.  
ALTERNATE LETTER APPROVED

Paul Jenkin expressed his concern that this proposal is a significant departure from the EIS/EIR and is a departure of the plan the board approved in 2009 relating to the management of the dam. He was concerned of significant delays down the line as we look at environmental issues for constructing a permanent land fill in Matilija Canyon and ongoing maintenance and hazards associated with that. He felt we have spent many years on this project and this would be a dead end path.

Norma Camacho Director of the Watershed Protection District expressed support of the recommendations to support, in concept, the upstream sequestering option presented at the last meeting. In the draft letter there were a number of questions that were raised. Those questions will be answered in the evaluation process. Complete analysis will be done to fully answer those questions. She provided assurance that would be done. Any upstream alternatives will look at both life cycle costs, initial costs and long term maintenance, construction and performance over range of storm events. Efforts would be made to mitigate environmental impacts on woodlands and natural drainage systems. Long term questions of maintenance and who takes care of it, the Watershed Protection District has been in support since inception of the long term maintenance of this project. Currently money is allocated to maintenance and monitoring of the dam. Those costs would be shifted to O & M of the facility itself.

Director Kaiser asked if there has been contact with NMFS. Pam spoke about site visits on the 18<sup>th</sup> with regulatory agencies. NOAA sent a letter of questions that we are in process of answering. Fish & Wildlife responded they have no significant concerns.

Director Hicks asked if the County would accept responsibility to maintain the areas that would be constructed. Norma answered yes, the Watershed Protection District will.

Supervisor Steve Bennett stated he was pleased when someone from the audience changed their mind after the presentation a couple of weeks ago. It takes courage to do that. We are at a critical spot with this. It is time for Matilija Dam to have champions step forward. This is the time we can't delay. We have to submit something. We have been chasing the fines problems for a couple of years. There is a limit on how far we can go. If we don't go here and don't have agreement on boda, moda and 100% on above dam site, we have to pick one and move forward. The project can't take forever. That is made clear in presentations at the DOG meeting. If we would have solved the problems sooner we may have qualified for money. Someone could throw environmental challenges at us. People can stop this project easily. It takes people compromising and coming together in the world to get this project. Casitas always had the ability to stop this project.

The original concept was more expensive, had higher water and energy use. Everyone has compromised. BRDA is more problematic. Which solution is the right one? There is no solution that will restore the river to its pure state. Can't have river supply 75,000 residents and get it all back. Is this the best compromise? That is what we have to deal with. It is the environmentally superior option. It won't disturb acres down stream. Wont use 4,000 acre feet of water. We are requesting of you to say there is enough merit in the upstream option to spend the remaining funds on studying and getting answers to questions you have asked and have been raised. Decisions have to be made. Overall this project moving forward is good for residents that have elected you. It will keep water rates lower or everyone will be paying to deal with the consequences of dam filling. Here we get federal and state help. It is far easier to kill the project than to come together. No one knows what the impact is going to be since the misinformation that is going out.

Director Baggerly handed out his revised version of the letter. He stated he has known Steve Bennett for a long time, worked with him on many projects and we normally agrees. This is one time we don't. The President cut the Army Corp of Engineers budget 40% and added money to the Bureau budget. There is less money to the Corp to do things. Alternative 4b took four years to come together as environmentally superior alternative. It has been six years since that. It was approved by the Secretary of the Army, B.O. Fish & Wildlife Service, National Marine Fisheries Service, approved in congress, and CEQA/NEPA has already been done. If we move forward with this the possibility exists for new consultation with NMFS, FWS, and new CEQA/NEPA. Stacking stuff above the dam and trying to make it permanent remains a shadow of concern for Casitas. Nothing is stable in Matilija canyon. If there is no money for the Corp to do these things it will take some time. We don't have to jump into this today as an ultimatum. If it takes that much time it may be the defacto death Jeff talks about. Alternative 4b with some tweaking. If we get our heads together we might make something out of this. I'm optimistic. We should keep an open mind. Need to think about other alternatives for 4b. Everybody does not have to get stuck into this box of a new alternative. Make sure we remain committed to three goals of

ecosystem restoration, passage for steelhead and sand for beaches. Director Baggerly explained the changes he suggested in the document which would not close the door on other possibilities. Unplanned releases from a permanent stockpile is not a good idea for Casitas. If they are up there plan for their releases. He suggested the possibility exists for the Corp to dredge out the fines, dry them and mix them with some of the courser material that becomes good top soil. Some might be able to be slurried down. Think there are some possibilities that will provide for everyone to get this project done. Don't want to endorse this preliminary idea until it is vetted.

Director Hicks added you have made some good points but we may lose funding because we can't go together on this. Have to have the EIR and other things you bring up. If funding is lost where are we? All they want is a conceptual approval. Funding is in jeopardy.

Supervisor Bennett added we are asking the Corp to reprogram money from other projects to get this done. The question now is getting money to finish design work we have to have the Corp on board. Corp needs to know if we meet Casitas criteria that there is merit in going forward. In August at the design oversight meeting attended by Mr. Wickstrum and Mr. Baggerly we asked if we could consider going to this. The response was yes if we find a way to permanently sequester fines up there.

Director Word suggested we go forward as proposed and all work together as there are a lot of questions to be addressed. Director Kaiser asked for answers from the Corp. Darrell Buxton of the Corp stated it is a conceptual plan at this point. If we go forward we will answer those questions in the next phase. Director Kaiser added that the board has a responsibility to safeguard our rate payers. Water quality is foremost on our minds and recovery of the steelhead. It comes down to risk vs. benefit.

Jeff Pratt stated any one of the questions in the letter have to be applied to each option they are all good questions. Director Kaiser expressed concern if budget get reduced. What is the next change? Comfort level will further impact our responsibility as a board. Supervisor Bennett answered this project did not change because of budget cuts. Cost of BRDA site is much higher. If we want Army Corp cooperation they have to be able to look at people in DC to say this is the best project we can design. They have trouble saying that with BRDA. At MODA we could not get property owners to agree. If you don't think you can be comfortable going above the dam we should know that.

Director Word asked if there is a disaster during construction or after it is completed and it doesn't hold together and it starts coming down what happens. Jeff Pratt stated they will deal with that, have it fixed. Watershed Protection District is on the hook and will repair it.

Director Hicks moved to support in concept this proposal. I think your problem Pete is making the decision to buy off on this project. They are asking us

to buy off on the concept and to conduct further study. Director Kaiser stated he understands and he authored the letter.

On the motion of Director Hicks, seconded by Director Word to adopt the letter submitted in the agenda packet, the motion failed with two ayes and three nos.

Director Baggerly moved to adopt the alternate letter submitted by Director Baggerly, seconded by Director Kaiser and passed with three ayes and two nos.

8. Request for approval of attendance at the Investing in Our Water Future seminar, March 11 & 12 in Santa Barbara. APPROVED

On the motion of Director Kaiser, seconded by Director Baggerly and passed the above request was approved.

9. Information Items:

- a. Recreation Area Report for January
- b. Monthly Cost Analysis for operation of Robles, fisheries and fish passage.
- c. Investment Report

President Handley called for a brief break at 5:44 p.m. and reconvened the meeting to closed session at 5:51 p.m.

10. Closed session

Public Employee Performance Evaluation (Govt. Code Sec. 54957)  
Title: General Manager

President Handley moved the meeting back into open session at 6:09 p.m. with John Mathews stating the Board met in closed session to discuss the performance evaluation of General Manager, Steve Wickstrum. The Board discussed the General Manager's performance and it was determined that his compensation would be placed on an upcoming agenda.

11. Adjournment

President Handley adjourned the meeting at 6:10 p.m.

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Secretary