

DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
Cachuma Project, California

THIRD AMENDMENT TO CONTRACT FOR THE TRANSFER OF
THE OPERATION AND MAINTENANCE OF THE
CACHUMA TRANSFERRED PROJECT WORKS

Table of Contents

<u>Article No.</u>	<u>Title</u>	<u>Page No.</u>
	Preamble	1
	Explanatory Recitals	1
1	Amends Article 2: Term of Contract	3
2	Amends Article 6: Administration of Federal Project Lands	3
3	Deletes Article 23: Equal Employment Opportunity	4
	Signature Page	5
	Exhibit A – Transferred Project Works (in 14-06-200-5222R)	
	Exhibit B – List of Agreements (in 14-06-200-5222R)	
	Exhibit C – Address for the Contractor (in 14-06-200-5222RA)	
	Exhibit D – Second Amendatory Contract (Contract No. 14-06-200-5222RB)	

1 UNITED STATES
2 DEPARTMENT OF THE INTERIOR
3 BUREAU OF RECLAMATION
4 Cachuma Project, California

5 THIRD AMENDMENT TO CONTRACT FOR THE TRANSFER OF
6 THE OPERATION AND MAINTENANCE OF THE
7 CACHUMA TRANSFERRED PROJECT WORKS

8 THIS CONTRACT AMENDMENT, is made this ____ day of _____, 2026 in
9 pursuance generally of the Act of June 17, 1902 (32 Stat. 388), and acts amendatory and
10 supplementary thereto, including Section 5 and 7 of the Act of August 13, 1914 (38 Stat. 687),
11 and subsection G of the Second Deficiency Appropriation Act for 1924, Fact Finders' Act of
12 December 5, 1924, (43 Stat. 672), all collectively hereinafter referred to as Federal Reclamation
13 law, between the UNITED STATES OF AMERICA, hereinafter referred to as the United States,
14 and the CACHUMA OPERATION AND MAINTENANCE BOARD, hereinafter referred to as
15 the "Contractor" or "COMB," a California Joint Powers Authority, duly organized, existing, and
16 acting pursuant to the laws of the State of California;

17 WITNESSETH, That;

18 EXPLANATORY RECITALS

19 (a) WHEREAS, on February 24, 1956, the United States, Carpinteria Valley Water
20 District, the City of Santa Barbara, Goleta Water District, Montecito Water District
21 (Summerland Water District incorporated into Montecito Water District), and Santa Ynez River
22 Water Conservation District Improvement District No. 1, hereinafter referred to as the Original
23 Member Units, and Santa Barbara County Water Agency (Agency) entered into Contract No. 14-
24 06-200-5222, hereinafter referred to as the O&M Contract, which provides for the transfer of
25 Operation and Maintenance of the Cachuma Transferred Project Works to the Original Member
26 Units; and

(b) WHEREAS, the O&M Contract has been amended by Amendatory Contracts dated November 5, 1971, October 3, 1978, April 28, 1988, May 12, 1995, September 24, 2001, January 1, 2002, July 1, 2002 and November 1, 2002; and

(c) WHEREAS, on March 1, 2003, the United States and COMB entered into Contract No. 14-06-200-5222R, hereinafter referred to as the Renewal O&M Contract for the Transfer of the Operation and Maintenance of the Cachuma Transferred Project Works; and

(d) WHEREAS, as of May 2016, the Contractor is comprised of member agencies Carpinteria Valley Water District, City of Santa Barbara, Goleta Water District and Montecito Water District; and

(e) WHEREAS, on September 28, 2020, the United States and COMB entered into Amendatory Contract No. 14-06-200-5222RA; and

(f) WHEREAS, on September 29, 2023, the United States and COMB entered into the Second Amendatory Contract No. 14-06-200-5222RB, attached hereto as Exhibit D; and hereinafter referred to as the Existing Contract; and

(g) WHEREAS, the United States has determined that the Contractor to date has fulfilled all of its obligations under the Existing Contract; and

(h) WHEREAS, the Contractor has requested a third contract amendment of the Existing Contract pursuant to that Contract, the Federal Reclamation laws, and the laws of the State of California, for continued Transfer of the Operation and Maintenance of the Cachuma Transferred Project Works; and

(i) WHEREAS, the environmental compliance requirements for the execution of this Contract have been met by the September 6, 2023, Interim Renewal of Operations and Maintenance for Cachuma Transferred Works Categorical Exclusion (CEC-23-029); and

(j) WHEREAS, the United States and the Contractor mutually commit to negotiate and seek to reach agreement on a long-term contract, that has been delayed for reasons beyond the control of the parties including but not limited to addressing the implementation of State Water Resources Control Board Order 2019-0148 adopted on September 17, 2019, and completion of applicable environmental compliance; and

(k) WHEREAS, the United States is required to update standard articles in all new or amended contracts; and

(l) WHEREAS, the United States is willing to amend the Existing Contract pursuant to the terms and conditions set forth below.

NOW, THEREFORE, in consideration of the mutual and dependent covenant herein contained, it is hereby mutually agreed by the parties hereto as follows:

1. Article 2 of the Existing Contract, entitled TERM OF CONTRACT, is amended as follows:

(a) Article 2 of 14-06-200-5222RB is deleted in its entirety and replaced with the following: “This Contract shall be effective as of October 1, 2026 (Effective Date) through September 30, 2028.”

2. Article 6 in the Existing Contract, entitled ADMINISTRATION OF FEDERAL PROJECT LANDS, is amended and replaced in its entirety by the following Article 6:

6. (a) The lands and interests in lands acquired, withdrawn, or reserved and needed by the United States for the purposes of care, operation, and maintenance of the Transferred Project Works may be used by the Contractor for such purposes. The Contractor shall ensure that no unauthorized encroachment occurs on Federal Project lands and rights-of-way. The Contractor does not have the authority to issue any land-use agreement or grant that

74 conveys an interest in Federal real property, nor to lease or dispose of any interest of the United
75 States.

76 (b) The United States retains responsibility for compliance with the
77 National Historic Preservation Act of 1966 (NHPA), and the Native American Graves Protection and
78 Repatriation Act of 1990 (NAGPRA). The contractor will notify the Contracting Officer and, only
79 when on tribal land, also notify the appropriate tribal official, immediately upon the discovery of any
80 potential historic properties or Native American human remains, funerary objects, sacred objects, or
81 objects of cultural patrimony.

82 3. Article 23 in the Existing Contract, entitled **EQUAL EMPLOYMENT**
83 **OPPORTUNITY**, is deleted in its entirety.

84 IN WITNESS WHEREOF, the parties hereto have executed this Contract

85 Amendment to the Existing Contract on the day and year first above written.

86 THE UNITED STATES OF AMERICA

87 By: _____
88 Adam Nickels, Acting Regional Director
89 Interior Region 10: California-Great Basin
90 Bureau of Reclamation

91 CACHUMA OPERATION AND
92 MAINTENANCE BOARD

93 By: _____
94 President, Board of Directors

95 ATTEST:

96 By: _____
97 Secretary of the Board of Directors