

Public comment to SB LAFCO Commissioners

Re: Formation of the Cuyama Basin Water District

Hearing date: Friday, August 5, 2016

From: Roberta Jaffe & Stephen Gliessman, farmers and landowners Cuyama Valley

We are resident farmers in the western portion of the Cuyama Valley. We oppose the proposal as written to form a Water District that LAFCO will be considering on August 5<sup>th</sup>. We ask the Commission to consider the following:

- One acre one vote will give complete control of the Water to District to the few large growers in the eastern Cuyama Valley who neither live nor have offices in the Cuyama Valley.

The growers' LAFCO application stresses "local groundwater management" is essential. However, if the past 30 years of "local groundwater management" is any indication of the growers' capabilities to manage local groundwater resources responsibly, then a water district will hand over local control to entities that have consistently and knowingly continued to overdraft a basin that was declared in critical overdraft in 1980. Does the continual and sustained water mining of an aquifer that is in severe overdraft disqualify the industrial growers from having the capability to responsibly manage local groundwater resources. All evidence points to the same entities having mis-managed local groundwater resources for the past 30 years.

- The proposed water district does not include the full basin. If the water district is proposed as an agency that will provide "local groundwater management", but that agency is excluding irrigated land that is part of the overall Cuyama basin, how can the water district be seen to provide "local groundwater management" when a major user to the west of the proposed boundaries is excluded from the district? The LAFCO standards for district formation state that the following is a factor unfavorable for approval: "Boundaries of the proposal do not include all of the service areas or potential service area or are otherwise improperly drawn."

- The LAFCO guidelines state that "... formation of new agencies **shall be discouraged unless there is evidenced a clear need for the agency's services from the landowners and/or residents.**"

Until SGMA was passed, the growers felt no "clear need" for the services that a water district can (is supposed to) provide. Nor did residents ask for such a water district. What services is the new water district proposing to provide, other than giving the growers access to a seat on the Groundwater Sustainability Authority (GSA)? We are very concerned that only the large growers will be represented on the GSA and those of us residing outside the town of New Cuyama will have no voice on the GSA.

- California Water District - Water Code 34000-38501 states that "the primary powers of a California Water District include: acquisition and operation of water

works for the production, storage and transmission and distribution of water for irrigation, domestic, industrial and municipal purposes and any drainage or reclamation works connected with such undertakings." The proposed Cuyama Water District has offered no such plans or the need for such activities. The proponents of the district have not outlined such plans. Instead, as they have stated, "the principal reason for forming the proposed water district is to provide a local public agency controlled by the landowners to work with the affected counties and with the CCSD to implement SGMA." The principal reason to form water districts is stated much differently in California law.

We ask the LAFCO Commission to reject the proposed Water District and to take a stand for democratic, local decision making in sustainable groundwater management in Santa Barbara County. Thank you.



Roberta Jaffe



Stephen Gliessman

Condor's Hope Ranch  
Cottonwood Canyon  
Cuyama Valley

## Regular Check-In Meeting with Ag Commissioner

August 2, 2016

### Naomi's Notes

Present: Janet Wolf, Naomi Kovacs, Cathy Fisher

#### Ag Production Report 2015

- Cathy gave Janet a hard copy of the report, which Janet had looked at in electronic format previously

#### Countywide Disaster Plan for Ag Properties

- They're coordinating with OEM to develop a plan
- SB County is the maverick county for doing this

#### Complaint: Neighbors Arguing (within the City of Goleta)

- There are rumblings / neighbors arguing [Cathy didn't elaborate on this]
- Cathy can forward email on this to us
- Sheriff and Fire have been called
- APCD is involved
- Everyone is working on this complaint

#### Right to Farm Ordinance

- This is an existing County ordinance
- Since 2013 or so, some members of the Ag Advisory Committee (AAC) have looked at adding additional information/language to make the ordinance a more useful document and to educate realtors re: informing potential buyers of the law and of the ordinance (as an educational tool on acceptable uses on farm land in ag zone)
- Pulled from state law and inserted into County ordinance
- Includes dispute resolution (taken from other counties)
- AAC has also developed a draft informed disclosure form for property buyers in such areas, to help avoid/cut down on complaints by buyers who might not otherwise have realized what they could be dealing with on their property abutting or close to farm land
- Cathy is bringing this info to Janet because she told the AAC she would, and they worked on this for a long time, which she appreciates
- Cathy thinks there is helpful information in their draft that's missing in the original ordinance, but she also has some hesitation about updating the ordinance
- It's questionable if it's worth doing an ordinance update; is what we have already good enough? Do we really need to go there?
  - While the current ordinance doesn't have the level of detail the AAC is proposing, it is highly functioning, serves a purpose, and has cut down on the ag interface conflicts
  - Janet expressed concern that this all could open up a can of worms when it's questionable if it's really even necessary (since it's working as is)
  - Cathy has some hesitation to open it back up; what could it lead to? More complaints re: ag?
  - They finished the draft ordinance update ~8 months ago and things have already changed since then (ex. - it was written before Medical Marijuana went into law); since things have already changed, this may not be the time to bring it forward
  - So much is already in State law

- Janet made it clear that if it comes to the BOS, Cathy should read it, clean it up as she sees fit, and make it “hers” (as the “Department Head”) to bring to the BOS (not the AAC bringing it forward), and Cathy would be the one to answer questions @ BOS, not the AAC
- Could we take this new information (from AAC’s proposed revisions) to help with community outreach instead?
- Realtors need to know the necessary information and disclose it to potential buyers, and do so as early on in the transaction process as possible, but let the Board of Realtors deal with this
  - There’s an outreach opportunity here to reach out to realtors/the realty community
  - They were appreciative in the past for similar outreach, so they probably will be again
- Cathy appreciated the AAC’s time and attention, but after talking with us about it now, she thinks opening it up again is trouble, considering we already have law and our existing ordinance in place

#### **Rules of Procedures (AAC)**

- Still plugging away on it
- Still dealing with how to engage with outside agencies