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May 7, 2018

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Re: Agenda Item: D-2
Board Hearing Date: May 8, 2018
Subject: Santa Maria Groundwater Basin Fringe Basin
Boundary Modification

Dear Chair Williams and Honorable Supervisors:

This office represents the Flood Ranch Company, owner of Rancho Sisquoc, located on the eastern edge of the Santa Maria Valley. Flood Ranch Company, doing business as Rancho Sisquoc, owns all of the parcels which bound the Sisquoc River "fringe area" of the Santa Maria Groundwater Basin.

I am writing on behalf of Rancho Sisquoc to express support for the County Water Agency's proposed submittal of a Basin Boundary Modification request to the California Department of Water Resources (DWR) for the Sisquoc River fringe area. DWR's approval of a Basin Modification request would remove the area from DWR's Bulletin 118 designation of the Santa Maria Groundwater Basin, and therefore eliminate the statutory mandate that a Groundwater Sustainability Plan (GSP) be adopted for this area.

As explained in the staff report, and further below, there is very little groundwater available in the Sisquoc River fringe area, and active management of the groundwater resource is not warranted. There are no groundwater wells, and no groundwater use that occurs in the area. Given the time and expense needed to develop a GSP for the area, and the fact there are no active

wells in the area upon which pumping fees can be levied to defray the costs of GSP implementation, removal of the area from the mandate that it be managed simply makes good practical and economic sense.

1. Background

The Sustainable Groundwater Management Act of 2014 (SGMA) provides local governing boards with the authority to manage groundwater at the local level for their own long-term self-benefit. The legislation requires local water districts, cities, or counties to assume the role of groundwater regulator (GSAs) for the purpose of adopting regulatory plans (GSPs) to achieve sustainable management of local groundwater resources within established time frames. SGMA vests local regulators with the powers needed to implement their regulatory plans, including the ability to impose fees, mandate pumping reductions, and develop groundwater replenishment projects so that groundwater sustainability may be achieved. GSAs must be formed and GSPs adopted for all “medium” and “high priority” basins statewide by January 2022.

SGMA’s regulatory planning mandate does not apply to adjudicated basins like the Santa Maria Groundwater Basin, where groundwater rights have been quantified and/or a court judgment establishes a watermaster to oversee management of groundwater resources. (Water Code § 10720.8.) Nevertheless, because the adjudicated boundary of the Santa Maria Basin does not match precisely the basin boundary as defined in DWR’s Bulletin 118, there exist small “fringe” areas on the eastern end of the Basin where DWR’s basin boundary extends beyond the adjudicated basin boundary. These “fringe” areas are outside the management area established by the Basin adjudication, and SGMA requires that all portions of a basin be managed. Therefore, unless a Basin Modification request is approved by DWR, a regulatory plan (GSP) will be needed for the Sisquoc River fringe area, despite the fact that very limited usable groundwater exists in the area.

2. The Sisquoc River Fringe Area

Attached to this letter is a parcel map of Rancho Sisquoc superimposed on Basin maps depicting both the adjudicated boundary and DWR’s Bulletin 118 boundary. The map shows clearly where the Sisquoc River fringe area extends beyond the adjudicated basin boundary in relation to the parcels which are under Rancho Sisquoc ownership. Each of the following parcels are either entirely within or bi-sected by the adjudicated boundary line, and each is bound by the terms of the final judgment in the Basin adjudication:

APN 101-050-008,
APN 129-220-049,
APN 133-010-014,

APN 133-010-015,
APN 133-040-011, and
APN 133-070-027.

Importantly, APNs 133-040-011 and 133-010-015 are the only two Rancho Sisquoc parcels located in the fringe area with any active wells or irrigated land on them. Both of these parcels are split by the adjudicated boundary line, with portions lying within the adjudicated area of the Basin, and portions lying outside the adjudicated line within the fringe area designated by DWR. However, because the entirety of these parcels are bound by the final adjudication judgment, groundwater use on the parcels, including any groundwater use occurring in the fringe area, is managed pursuant to the adjudication. No further management of groundwater resource on these parcels is warranted under SGMA.

The map demonstrates how the Sisquoc River fringe area extends beyond the eastern lot lines of APNs 133-040-011 and 133-010-015 and onto the following parcels located in the upper Sisquoc River watershed:

APN 133-050-016,
APN 133-050-017,
APN 133-060-042,
APN 133-030-040, and
APN 133-030-041.

No portion of the foregoing APNs lie within the adjudicated basin boundary, and none of the parcels are bound by the final judgment in the Basin adjudication. Therefore, unless DWR approves a Basin Modification request to eliminate the fringe area located on these parcels from the Bulletin 118 boundary designation, SGMA requires that a management plan be adopted for the fringe area affecting these parcels.

3. No Need For Active Management in the Upper Sisquoc River Fringe Area

As explained in the staff report, the fringe area east of APNs 133-040-11 and 133-010-15 is primarily underlain by consolidated bedrock rather than alluvial aquifer materials. Only a narrow strip of alluvial material along the upper Sisquoc River bed is capable of yielding any groundwater. A concrete groundwater barrier was installed across the river in 1910, which impedes subsurface flow from the alluvial materials along the river to the main portion of the Santa Maria Basin. There are no groundwater wells and no irrigated land on any of the Rancho Sisquoc parcels that lie upstream of the subsurface barrier to the east of APNs 133-040-11 and 133-010-15. Active management of a groundwater resource is a time consuming and expensive prospect. Without any groundwater wells and no use occurring in the area, there is no effective way to defray the cost of implementing a regulatory program.

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The adjudicated boundary line was established to capture all significant water bearing material of the Santa Maria Groundwater Basin. DWR' s Bulletin 118 boundary was drawn decades earlier much more imprecisely. The area of the Sisquoc River east of the subsurface flow barrier (which is not located on parcels bound by the adjudication) is a distinct hydrologic unit. There is very little groundwater available east of the barrier, there are no groundwater wells, and there is no groundwater use. Active management of the limited groundwater resource is not warranted.

For these reasons, Rancho Sisquoc supports the County's proposed submittal of a Basin Boundary Modification request for the Sisquoc River fringe area.

Respectfully submitted,

HOLLISTER & BRACE

By: 

Peter L. Candy

PLC:cr
Attachment

cc: Matt Young

