



PLANNING & DEVELOPMENT  
APPEAL FORM

SITE ADDRESS: Highway 166 & Cottonwood Canyon Road

ASSESSOR PARCEL NUMBER: 147-020-045

Are there previous permits/applications? no yes numbers: (include permit# & lot # if tract)

Are there previous environmental (CEQA) documents? no yes numbers:

1. Appellant: Roberta Jaffe & Stephen Gliessman Phone: 831-818-2451 FAX:

Mailing Address: PO Box 215 New Cuyama CA 93254 E-mail: robbiejaffe@gmail.com

2. Owner: Matt Turrentine – Brodiaea, Inc Phone: 805-312-1828 FAX:

Mailing Address: PO Box 6565 Santa Maria, CA 93455 E-mail:

3. Agent: Brian Tetley Phone: 805-312-1828 FAX:

Mailing Address: Urban Planning Concepts 2624 Airpark Dr. Santa Maria, CA 93455 E-mail:

4. Attorney: Phone: FAX:

Mailing Address: E-mail:

COUNTY USE ONLY

Case Numb 17APL-00000-00017  
Supervisi  
Applicable JAFFE/GLIESSMAN APPEAL OF THE BRODI  
Project Pla 7400 HIGHWAY 166 10/2/17  
Zoning Des CUYAMA 147-020-045

Companion Case Number:  
Submittal Date:  
Receipt Number:  
Accepted for Processing  
Comp. Plan Designation

# COUNTY OF SANTA BARBARA APPEAL TO THE:



BOARD OF SUPERVISORS

PLANNING COMMISSION:  COUNTY  MONTECITO

RE: Project Title North Fork Ranch Frost Ponds

Case No. 16CUP-00000-00005

Date of Action October 2, 2017

I hereby appeal the  approval  approval w/conditions  denial of the:

Board of Architectural Review – Which Board? \_\_\_\_\_

Coastal Development Permit decision

Land Use Permit decision

Planning Commission decision – Which Commission? \_\_\_\_\_

Planning & Development Director decision

Zoning Administrator decision

**Is the appellant the applicant or an aggrieved party?**

Applicant

Aggrieved party – if you are not the applicant, provide an explanation of how you are and “aggrieved party” as defined on page two of this appeal form:

We appeared at both the Zoning Administrator hearing and the first hearing on the Mitigated Negative Declaration which took place in New Cuyama and spoke in opposition to this permit based on environmental concerns and those concerns were not addressed.

---

---

---

---

---

Reason of grounds for the appeal – Write the reason for the appeal below or submit 8 copies of your appeal letter that addresses the appeal requirements listed on page two of this appeal form:

- A clear, complete and concise statement of the reasons why the decision or determination is inconsistent with the provisions and purposes of the County’s Zoning Ordinances or other applicable law; and
- Grounds shall be specifically stated if it is claimed that there was error or abuse of discretion, or lack of a fair and impartial hearing, or that the decision is not supported by the evidence presented for consideration, or that there is significant new evidence relevant to the decision which could not have been presented at the time the decision was made.

We are appealing this decision based on Finding # 1.2 and Finding #5. 1.2 states “there is no substantial evidence that the project will have a significant effect on the environment.” #5 states: “the proposed project will not be detrimental to the comfort, convenience, general welfare, health and safety of the neighborhood and will be compatible with the surrounding area.”

The permit request for these reservoirs is part of the whole vineyard development of converting over 1000 acres of dry range land to vineyards in the critically overdrafted basin of the Cuyama Valley. Brodiaea, Inc., a wholly owned subsidiary of Harvard Management Company (Harvard University’s Endowment Fund) purchased 6500 acres of dry rangeland in 2014. In September 2014 the state of California signed into law the Sustainable Groundwater Management Act (SGMA). Under SGMA, the Cuyama Basin was identified as one of 21 critically overdrafted basins in California. In 2014 the Santa Barbara Board of Supervisors accepted the USGS 5-year groundwater study of the Cuyama Basin which identified the groundwater pumping of the main basin by agribusiness as the source of the depletion of groundwater in the Basin. The impacts of this overdraft include: continued overdraft of the aquifer; land subsidence; withdrawal of deep waters contaminated by heavy metals; continued degradation of surface vegetation and wildlife. Following the passage of SGMA, Brodiaea, Inc. drilled eleven agricultural wells based on ministerial permits from Santa Barbara County. The reservoirs offer the first opportunity for a full review of the project, yet they are being treated as a separate, piece meal project by the applicants.

As neighbors and farmers in Cottonwood Canyon, we disagree with the approval of the Mitigated Negative Declaration. This project represents major land use change from dry range land to heavily irrigated vineyard. In the past year this project has planted and irrigated over 1000 acres of grapes. During this same time period, Santa Barbara County has started monitoring wells in this region including ours. After our above average rainfall this past winter, it was expected that our well level would rise, instead it went down. We don’t know if there is a direct connection to this project, but this needs to be determined before additional pumping to fill reservoirs can be said to not be “detrimental to the comfort, convenience, general welfare, health and safety of the neighborhood”.

There can be multiple late spring frost events in this part of the Cuyama Basin. One event will drain all 3 reservoirs. Thus the amount of groundwater potentially pumped to refill the reservoirs is exponential at a time of year when the groundwater should be recharged.

There were multiple letters of concern submitted as public comment including one from the California Department of Fish and Wildlife. Yet none of these have been addressed to date.

---



---



---



---



---

Specific conditions imposed which I wish to appeal are (if applicable):

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_
- d. \_\_\_\_\_

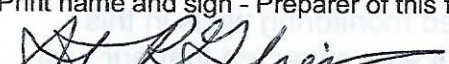
Please include any other information you feel is relevant to this application.

**CERTIFICATION OF ACCURACY AND COMPLETENESS** Signatures must be completed for each line. If one or more of the parties are the same, please re-sign the applicable line.

Applicant's signature authorizes County staff to enter the property described above for the purposes of inspection.

I hereby declare under penalty of perjury that the information contained in this application and all attached materials are correct, true and complete. I acknowledge and agree that the County of Santa Barbara is relying on the accuracy of this information and my representations in order to process this application and that any permits issued by the County may be rescinded if it is determined that the information and materials submitted are not true and correct. I further acknowledge that I may be liable for any costs associated with rescission of such permits.

Print name and sign - Firm Date  
 Roberta Jaffe  10/2/17

Print name and sign - Preparer of this form Date  
 Stephen Coliessman 2 Oct 17

Print name and sign - Applicant Date

Print name and sign - Agent Date

Print name and sign - Landowner Date