



City of Santa Barbara

Public Works Department

SantaBarbaraCA.gov

May 29, 2019



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VIA U.S. MAIL AND E-MAIL
COMMENTLETTERS@WATERBOARDS.CA.GOV

Jeanine Townsend, Clerk of the Board
Executive Office
State Water Resources Control Board
Cal/EPA Headquarters
1001 I Street, 24th Floor
Sacramento, CA 95814

Re: Comments of the City of Santa Barbara on Draft Order WR 2019-00XX In the Matter of Permits 11308 and 11310 (Applications 11331 and 11332) held by the United States Bureau of Reclamation ("Reclamation") for the Cachuma Project on the Santa Ynez River ("Revised Draft Order")

Dear Ms. Townsend:

The City of Santa Barbara appreciates the opportunity to comment on the Revised Draft Order referenced above. Santa Barbara respectfully requests that the State Water Resources Control Board decline to adopt the Revised Draft Order as its final order for the reasons set forth in this letter and in the letter dated May 29, 2019 submitted by the Cachuma Conservation Release Board, a joint powers agency composed of the City of Santa Barbara, the Goleta Water District, and the Montecito Water District. In particular, Santa Barbara objects to the Revised Draft Order's reliance on water from Santa Barbara's Charles E. Meyer Desalination Facility. Water produced by the Desalination Facility belongs to Santa Barbara and is necessary, along with Santa Barbara's entitlement from the Cachuma Project and other sources, to provide Santa Barbara's residents and businesses a safe and reliable water supply. The Revised Draft Order would have the effect of taking Santa Barbara's desalinated water and appropriating it to use in other water agency service areas, something that the State Board lacks authority to do.

On June 4, 1991, Santa Barbara's voters elected to make desalination a permanent part their water supply portfolio. The Santa Barbara City Council included desalinated water as an important component of the Long Term Water Supply Program adopted on July 5, 1994. The California Coastal Commission issued a Coastal Development Permit to the City on October 15, 1996 for permanent desalination facilities up to a maximum capacity of 10,000 acre-feet per year (AFY), providing for intermittent and base load operations. That permit

remains valid and the Desalination Facility is currently operating pursuant to it. On July 21, 2015, in response to exceptional drought conditions, the Santa Barbara City Council voted unanimously to reactivate and upgrade its Desalination Facility. The facility has been distributing desalinated water into the City's water system since May 2017.

The facility is a critical part of Santa Barbara's diverse water supply portfolio, which also includes surface water from Gibraltar and Cachuma Reservoirs, local groundwater, recycled water, imported water from the State Water Project, and a long-standing, robust conservation program. Santa Barbara manages all of these sources conjunctively to provide a safe and reliable water supply to its ratepayers. If adopted, the Revised Draft Order will necessarily upset Santa Barbara's water supply planning efforts and result in environmental consequences that have not been properly explored. Further, as correctly stated in the comment letter submitted by the Cachuma Conservation Release Board, "The Revised Draft Order's statement that water produced by the desalination plant could be used to mitigate Alternative 5C's significant water supply impacts for other Cachuma Member Units would unlawfully divest the City and its ratepayers of this investment in water supply reliability."

Santa Barbara appreciates the State Board's consideration of these comments.

Sincerely,



Rebecca J. Bjork
Public Works Director

- c: See Service List Attached
Nick Turner, Montecito Water District
John McInnes, Goleta Water District

Cachuma Project Evidentiary Hearing

UPDATED SERVICE LIST

(March 26, 2019)

Corrected for typographical errors

The parties whose email addresses are listed below agreed to accept electronic service, pursuant to the rules specified in the hearing notice.

<p>Cachuma Conservation Release Board Mr. Kevin O'Brien Downey Brand LLP 621 Capitol Mall, Floor 18 Sacramento, CA 95814 kobrien@downeybrand.com nbigley@downeybrand.com pcantle@ccrb-board.org</p> <p><i>updated 02/25/2019</i></p>	<p>City of Solvang Mr. Christopher L. Campbell Baker, Manock & Jensen 5260 N. Palm Avenue, Suite 421 Fresno, CA 93704 ccampbell@bakermanock.com</p> <p><i>updated 07/29/2011</i></p>
<p>Santa Ynez River Water Conservation District, Improvement District No. 1 Mr. Paeter Garcia 3622 Sagunto St. Santa Ynez, CA 93460 pgarcia@syrwd.org</p> <p>Mr. Steve M. Anderson Best Best & Krieger LLP 3390 University Avenue, 5th Floor Riverside, CA 92501 steve.anderson@bbklaw.com</p> <p><i>updated 03/09/2018</i></p>	<p>City of Lompoc Mr. Nicholas A. Jacobs Somach, Simmons & Dunn 500 Capitol Mall Suite 1000 Sacramento CA 95814 njacobs@somachlaw.com</p> <p><i>updated 01/06/2014</i></p>
<p>Santa Ynez River Water Conservation District Mr. Steven M. Torigiani Law Offices of Young Wooldridge, LLP 1800 30th Street, 4th Floor Bakersfield, CA 93301 storigiani@youngwooldridge.com</p> <p><i>updated 02/26/19</i></p>	<p>California Trout, Inc. Ms. Linda Krop Ms. Maggie Hall Ms. Tara Messing Environmental Defense Center 906 Garden Street Santa Barbara, CA 93101 lkrop@environmentaldefensecenter.org mhall@environmentaldefensecenter.org tmessing@environmentaldefensecenter.org</p> <p><i>updated 03/08/2018</i></p>

Cachuma Project Evidentiary Hearing

UPDATED SERVICE LIST

(March 26, 2019)

Corrected for typographical errors

The parties whose email addresses are listed below agreed to accept electronic service, pursuant to the rules specified in the hearing notice.

County of Santa Barbara Mr. Michael C. Ghizzoni, County Counsel Ms. Johannah Hartley, Deputy 105 E. Anapamu Street Santa Barbara, CA 93101 jhartley@co.santa-barbara.ca.us <i>updated 03/09/2018</i>	U.S Bureau of Reclamation Ms. Amy Aufdemberge 2800 Cottage Way, Room E-1712 Sacramento, CA 95825 Fax (916) 978-5694 AMY.AUFDEMBERGE@sol.doi.gov <i>updated 08/12/16</i>
California Department of Fish and Wildlife Ms. Nancee Murray Senior Staff Counsel 1416 Ninth Street, 12 th Floor Sacramento, CA 95814 Nancee.Murray@wildlife.ca.gov <i>updated 08/15/2016</i>	Bureau of Reclamation, Mid-Pacific Region Mr. Michael Jackson Area Manager South-Central California Area Office 1243 N Street Fresno, CA 93721-1813 mjackson@usbr.gov
Montecito Water District Mr. Robert E. Donlan Ellison, Schneider & Harris L.L.P. 2600 Capitol Avenue, Suite 400 Sacramento, CA 95816 red@eslawfirm.com	Santa Barbara County CEO's Office Ms. Terri Maus-Nisich, Assistant CEO 105 E. Anapuma Street, 4 th Floor Santa Barbara, CA 93101 tmaus@co.santa-barbara.ca.us <i>updated 09/07/2016</i>

The parties listed below did not agree to accept electronic service, pursuant to the rules specified by this hearing notice.

NOAA Office of General Counsel Southwest Region Mr. Dan Hytrek 501 West Ocean Blvd., Suite 4470 Long Beach, CA 90802-4213 Dan.Hytrek@noaa.gov <i>updated 05/13/2011</i>	
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