

**Board of Supervisors
Responses to 2000-2001 Grand Jury Report on
Natural Resources in the Santa Maria Valley**

Land

Finding 1a: The Santa Maria Valley seashore and beaches have been neglected by the local governments for years.

Response to Finding 1a: Disagree. Under the auspices of the Board of Supervisors, the County Parks and Planning and Development (P&D) Departments have led efforts to protect and improve both the environment of and access to the Santa Maria Valley's seashore and beaches. The Parks Department coordinated efforts to acquire the 600-acre Rancho Guadalupe Dunes Park. P&D led efforts to acquire the 300-acre seashore Point Sal reserve parcel. The Parks Department is preparing master plans to facilitate public access to both sites, while protecting sensitive resources. However, most of the Santa Maria Valley coast remains in either private ownership or that of Vandenberg Air Force Base (VAFB).

Finding 1b: Vehicular access to these beaches is either non-existent or across private land. Hiking access to these beaches also traverses private land.

Response to Finding 1b: Partially Agree. Access to Santa Maria Valley seashore and beaches is limited by the lack of public roads leading to the coast, steep terrain, and the extent of relatively large private land holdings and those of VAFB. The lack of historic public roads and damage to the existing Point Sal Road has further limited such access. The management plan for Rancho Guadalupe Dunes and the County Point Sal parcel will partially address these concerns. However, opening up either new areas for coastal access or improving access to Point Sal would require significant funds, cooperation by VAFB, and probably purchase and/or condemnation of easements across private property.

Finding 1c: Point Sal Beach State Park has been neglected for years and has no parking places or toilet facilities, and lacks even a safe footpath to the beach.

Response to Finding 1c: Agree . County Parks Department has discussed coastal access with State Parks recently and in the past. Representatives of State Parks, Channel Coast District, maintain they have been unsuccessful in allocating resources to improve facilities and access to the beach at Pt. Sal State Park due to the inability to meet certain justifying criteria, mainly, the lack of ability for the park to generate revenue to support staffing resources, and the lack of significant visitor counts to justify investment in improvements.

Historically, vehicle access to Pt. Sal State Park was provided by Brown Road, a county-maintained road up to the point that it extends over private property and Vandenberg Air Force Base, approximately 3 miles from the park. Brown Road is no longer passable by vehicle on VAFB or the portion on private property due to severe erosion washing out sections of the roadway. VAFB has continued to monitor and measure earth movement in the eroded areas and has concluded that the soils are too unstable to make rebuilding feasible. VAFB officials have

informally reported to County Parks they are considering abandoning Brown Road in place due to cost estimates in the multi-millions of dollars to repair and stabilize. Further, any future public access over VAFB property would require a formal agreement addressing all security issues.

Currently, Santa Barbara County Parks has taken a lead role in facilitating an interagency task force group composed of public land owners (VAFB, BLM, State Parks, County Parks) to update an access plan within the 1993 Pt. Sal Management Plan with a goal to identify public access to County and State Park coastal properties.

Finding 1d: An estimated 5% of coastal property has been placed into various types of government preserves, and efforts are underway to place more into dedicated use, with little input offered by the local jurisdictions in the Valley.

Response to Finding 1d: Partially agree. As the attached map (Attachment 1) shows, approximately one-third of the Santa Maria Valley coastline is in public ownership. The County is not currently involved in any additional acquisition efforts. However, where such efforts occur, County policy and the Coastal Act strongly encourage increased public access consistent with sound resource management. In addition, County procedures would also support substantial public input into coastal property acquisition and management by any agency or non-profit organization.

Finding 1e: Non-local organizations may give little consideration for beach access and benefits for local residents.

Response to Finding 1e: Partially agree. Although the County, the Coastal Commission, Coastal Conservancy, and State Parks all support improved public access, some private non-profit conservation groups may not have access as part of their mission. However, the County and Coastal Commission would likely attempt to review any private conservation group acquisitions to encourage or require public access consistent with reasonable protection of sensitive resources.

Recommendation 1: Elected officials in the Santa Maria Valley should express the needs of the citizens to Federal, State and County officials before much more of the seashore is dedicated to specific use, and becomes managed for the benefit of non-local populations.

Response to Recommendation 1: The recommendation has been implemented. The Santa Barbara County Board of Supervisors has consistently obtained state and federal grants, provided local County matching funds for these grants and programmed substantial Parks Department and P&D staff time to enhance coastal access in the Santa Maria Valley. The Board has supported the acquisition of both the 600-acre Rancho Guadalupe Dunes and the 300-acre Point Sal parcel. The Parks Department is currently preparing master plans, which address public access, for both these sites.

The County would welcome expressions of support for public access from local elected officials in the Santa Maria Valley, and endeavor to cooperate with all agencies and interested non-profits to enhance public access consistent with sound resource protection.

Ancient Sand Dunes

Finding 2a: The conversion of prime agricultural land for housing and other urban developments conflicts with long-standing county policy. It has been done in the past simply because the prime agricultural land was located conveniently adjacent to a city's boundaries when the need for expansion existed.

Response to Finding 2a: Agree. Conversion of agricultural land for urban uses conflicts with both county policy and the statutes governing the Local Agency Formation Commission (LAFCO). Because of the location of the cities of Santa Maria and Guadalupe on the Valley's prime alluvial soil, much of these cities' past and currently planned short- to mid-term development has led to conversion of such prime lands. The logical and most economical extension of urban roads, sewers, water lines and other services is to such adjacent areas. The community of Orcutt has been developed primarily upon non-prime soils. However, it should be noted that both the City of Santa Maria and the community of Orcutt's principal longer term growth areas (Area 9 and Keysite 22 respectively) contain mostly non-prime soils.

Finding 2b: The ancient sand dunes in the Santa Maria Valley are presently and potentially the least productive agriculturally zoned lands in the Santa Maria Valley, and thus contribute the least to the revenue base of the County.

Response to Finding 2b: Partially agree. Although these lands have traditionally been less productive than prime alluvial soils, grazing and specialty crops are important agricultural industries. Most of the prime and non-prime agricultural land in this county is under Williamson Act contract, and enjoys a significant tax advantage. Most of the County's Williamson Act lands are non-prime. Many of the ancient dune soils in close proximity to the main Santa Maria-Orcutt urban area have been converted to strawberry production using modern drip irrigation technology. Strawberries are consistently a very high value cash crop. It should also be noted that such ancient dunes often support some of the Valley's last remaining wetlands and a number of sensitive plant and animal species. In addition, while prime and cultivated agricultural lands contribute substantial economic activity to the county, neither constitutes a significant direct revenue source for the County's tax base.

Finding 2c: Expansion of city boundaries, by Guadalupe or Santa Maria, does not now need to be into contiguous land, most of which is devoted to agricultural production and is designated prime agricultural land.

Response to Finding 2c: Disagree. Sections 56741 and 56742 of the Government code allow small discontinuous annexations only for municipal purposes such as sewer plants and landfills. Such leapfrog or non-contiguous annexation raises both legal issues and inconsistencies with both LAFCO and County policies. In addition, the extension of urban services through agricultural lands, when combined with increased urban rural conflicts, would create tremendous pressure to convert such bypassed lands in the future.

Recommendation 2a: Housing needs for the population growth in the Santa Maria Valley, as projected in the County's Strategic Scan 2000, should be best met by cities and the County by carefully planned development on these ancient dune lands, rather than on highly productive prime agricultural land.

Response to Recommendation 2a: The recommendation will not be implemented because it is not warranted at this time. Carefully planned development by the cities and county will be needed to accommodate projected population growth through the year 2030. Improved interagency coordination between LAFCO, the County and the cities would lead to improved protection of prime agricultural land. Pursuit of increased urban densities and focused rezones of commercial and industrial lands would also minimize the need for conversion of prime soils. Lands currently planned for urban development by the City of Santa Maria and the County (i.e., Area 9 and Key Site 22) would accommodate about 50% of the unmet (i.e. not yet zoned) demand for housing through 2030, even at historically low densities (Attachment 2).

However, at high growth rates and low densities experienced through the 90s, up to 2,000 acres of agricultural land could be threatened by urbanization to meet projected housing demand. Threats to this agricultural land could be substantially reduced or eliminated if the City of Santa Maria, the County and LAFCO all pursued strong infill development polices.

For example, if average urban densities were increased from 3.3 units per acre to 6 or 7, the need for urban expansion onto agricultural land not currently planned for urbanization could be substantially reduced until after 2030. This approach would be most consistent with County policy. If additional raw land is still required, then expansion onto the non-prime ancient sand dunes east of Orcutt would be the urban expansion approach least inconsistent with county policy. Active pursuit of infill development policies; i.e., rezones, medium density buildout, by the County and the City of Santa Maria, with support by LAFCO, would provide the most feasible approach to reduce development pressure on prime soils east of Hwy. 101.

Recommendation 2b: Investigate promptly and thoroughly the feasibility of locating urban growth on one or more of these ancient sand dune areas in the Santa Maria Valley.

Response to Recommendation 2b: The recommendation will be implemented over the next two years. The sense in which the recommendation will be implemented is that the feasibility of growth in these areas will be investigated. This does not mean the County intends to support conversion. The County's upcoming 2030 Open Space Newsletter will provide data on land demand and possible options for locations to accommodate urban growth demands through the year 2030. As the County and the cities revise their Housing Elements in response to the State's growth mandates, the location of land needed to accommodate regional housing needs will be debated and decided through public processes. However, non-contiguous or leap frog annexations will not be investigated as they conflict with both County and LAFCO policies. Finally, both LAFCO and County policies encourage infill development over conversion of rural agricultural land and open space.

The Technical Advisory Committee

Finding 3a: The process of revision and improvement of the County's controversial agricultural grading ordinance is being moved along steadily by the Planning and Development Department as directed by the Board of Supervisors.

Response to Finding 3a: Agree. Although the TAC process has been lengthy and has required substantial County resources and support, reaching consensus over controversial issues between disparate groups is clearly a worthwhile goal.

Finding 3b: The appointment and organizing of a Natural Resource Technical Advisory Committee (which concerns, among other issues, agricultural grading), guided by a skilled facilitator, was a process conceived by the Planning and Development Department. P&D's flexibility in creating TAC, after the inability to obtain consensus during the prior two-year process (involving public hearings, workshops, and drafts of goals, programs and regulations), is commendable.

Response to Finding 3b: Agree. Planning and Development appreciates the Grand Jury's commendation for the Technical Advisory Committee approach, which was conceived by Deputy Director Dan Gira. To date, the committee has successfully engaged a variety of contentious issues, and the department is hopeful it will be successful in identifying specific standards which can replace the general criteria of the grading ordinance exemption.

Finding 3c: TAC members have shown an ability to communicate with each other with courtesy, sensitivity, and understanding, while devising the optimum viable compromises needed to honor both environmental and agricultural laws and concerns.

Response to Finding 3c: Agree. The TAC process has provided the first structured forum for open communication between interested groups historically on opposite sides of resource protection issues. Such communication is a vital component in resolving such longstanding issues.

Finding 3d: P&D staff have provided excellent support, thus enabling the TAC to focus on its deliberations while staff provided maps, visual aids, basic information, and expert outside speakers, as well as producing agendas and summaries of each meeting's results.

Response to Finding 3d: Agree. To permit open discussion between TAC members, P&D staff have primarily functioned in a support rather than leadership role. The goal of this approach is to provide the interest groups with flexibility in reaching consensus, with staff developing proposals only when necessary to move the overall process forward, rather than on each issue or in detail.

Finding 3e: In the course of 11 scheduled meetings, each usually lasting over three hours, and one field trip, the TAC has made slow but solid progress featured by incisive questions, creative

suggestions, and meticulous care to eliminate possible sources of future confusion, misunderstandings, and disputes.

Response to Finding 3e: Agree. The process has worked as well as possible given divergent viewpoints of TAC members.

Finding 3f: TAC members development of a two-track protection system is a key element in their consensus building. The landowner has the option of following an inexpensive, totally voluntary process or of following the staff regulatory process.

Response to Finding 3f: Partially agree. The two-track process has been key to allowing the agricultural resource interest groups to reach tentative compromises. Exact costs of this "voluntary", no permit approach have not been determined. However, substantial ongoing funding for staff time, technical experts to assist landowners in preparing management plans, and incentives will be required. P&D has recommended that these costs be substantially borne by the county, partially offset through potential new revenues and state and federal grants. The costs of the alternative regulatory process would also be kept as low as possible.

Finding 3g: TAC's success in working out a consensus of its draft two-track Archaeological Protection Program (including grading and clearing activities) and two-track Riparian Setback Protection Program are notable positive achievements that can serve as a model for the more complex TAC goals still remaining. These include protecting wetlands and endangered species.

Response to Finding 3g: Agree. Archaeological resources served as a possible model for all issues. P&D will consider this model for other projects.

Recommendation 3a: The TAC should be encouraged to continue its work no matter how long it takes.

Response to Recommendation 3a: The recommendation has been implemented. P&D strongly supports TAC process. The original timeline called for completion of the TAC review last spring. When more time and funding was required, it was provided. However, available funding, competing County priorities, and the TAC members' own stamina require completing the process by the revised December end date.

Recommendation 3b: The services of the facilitator should be retained until the Resource Protection Program drafts and the Agricultural Grading drafts are completed and approved by county decision-makers.

Response to Recommendation 3b: The recommendation has been implemented. It is planned that the services of the facilitator will be retained until the above noted drafts are completed.

Recommendation 3c: The Planning and Development Department should continue to lead, support, and build on this thus-far remarkably successful program, and use it as a model for planning and addressing other important P&D program responsibilities.

Response to Recommendation 3c: The recommendation will be implemented as future work programs present opportunities. The program has been remarkably successful to date and will be considered for application elsewhere as appropriate.

Laguna Sanitation District

Finding 4a: There is a growing need for more public recreational facilities in the Santa Maria Valley as the population continues to grow.

Response to Finding 4a: Agree. The County has attempted to partially address this need through ongoing improvements to the regional facility at Waller Park and through master plans for both Rancho Guadalupe Dunes and Point Sal. In addition, the Orcutt Community Plan contains a major parks, open space and trails program, supported by new financing techniques. If successful, the Orcutt Community Plan will provide hundreds of acres of public open space, miles of trails and new neighborhood and regional parks.

Finding 4b: There is a significant potential to redevelop part of Betteravia Lake as a protected preserve for endangered species of water-related wildlife. This could allow the concentration of endangered species in a suitable habitat that could serve as a mitigation trade-off of other more valuable prime farmlands.

Response to Finding 4b: Agree in part. The historic Betteravia Lake has the potential to be converted into a premiere central coast wildlife habitat. However, mitigation trade-off proposals would require more investigation, which is not funded at this time, so no timetable can be given. Restoration of the lakes could allow habitat enhancement and mitigation for certain endangered species. The issue of costs of such a project cannot be taken lightly. Although there is a potential to find grant funds to acquire property, most grant sources require friendly acquisition of property. In addition, most grant funds require a local match. For such a project to become successful, the project must have the support of the agricultural community and the affected property owners.

Recommendation 4: The County's Laguna Sanitation District, which already owns a significant amount of Betteravia Lake, is a potential and early direct beneficiary of a multipurpose tertiary treatment pond and water storage in the Lake, and should play a leading role in trying to get the Lake restoration project started.

Response to Recommendation 4: The recommendation will not be implemented at this time because it is not reasonable. Laguna County Sanitation District owns just 67 acres of the approximate 725 acres lake surface area, which represents less than 10% of the total. Currently, Laguna discharges treated effluent to pastureland. In order to change the method of discharge to include discharge to a water body, a significantly greater regulatory and monitoring effort would

be required. In addition, several land and water rights issues would have to be addressed. While some grants may be available, the project could easily cost in the tens of millions of dollars. Additional study of the technical and financial feasibility of such proposals would be required. Any such proposal would require support from property owners, local citizens and government and the agricultural community in order to assemble the approvals and funding required.

Finding 5a: It appears that the owners of the Betteravia Lake bottom are likely to face increasing production costs in the future as well as diminished growing seasons, thus less income and profit.

Response to Finding 5a: Agree. Landowners pump the Lake during wet periods. There is thus a significant energy component to pumping the lake dry. With increased energy costs, it can be expected that the pumping costs will correspondingly increase.

Finding 5b: There may be significant incentive for some of the landowners to sell their land and use the proceeds to make more profitable investments.

Response to Finding 5b: Disagree, based solely on the fact that the County has no information to suggest that the finding is correct or incorrect.

Finding 5c: At least one Betteravia Lake landowner is in bankruptcy and may need to sell much, if not all, of his land around the Lake.

Response to Finding 5c: Disagree, based solely on the fact that the County has no information to suggest that the finding is correct or incorrect.

Finding 5d: The public is unaware of the recreational and conservation potential of Betteravia Lake.

Response to Finding 5d: Agree. Local education and public outreach will be essential if support and funding for restoration of Betteravia Lake is to proceed. Collaborative discussions with, and support by, landowners, local government and the agricultural community will be required.

Finding 5e: There is insufficient local funding available for the restoration of Betteravia Lake.

Response to Finding 5e: Agree. Implementing a project of this magnitude would require a combination of local, state and federal funds.

Recommendation 5a: The leadership of Santa Maria, Orcutt, Guadalupe, and Santa Barbara County should form a coalition of experts to study the potential benefits and feasibility of restoring some or all of Betteravia Lake.

Response to Recommendation 5a: The recommendation will be implemented if the cities of Santa Maria and Guadalupe, the Cachuma Resource Conservation District, the Santa Maria Valley Water Conservation District, local citizens, property owners and agricultural interest groups request County participation in such a program. An earlier unilateral attempt by P&D to promote Betteravia Lake acquisition and restoration failed for lack of apparent local support.

Recommendation 5b: After a reasonable amount of preliminary research has been completed, participating entities should schedule a series of public meetings at locations in Santa Maria, Orcutt, and Guadalupe, including ample visual aid material, to ensure that the public is well informed about this long-hidden natural lake in Santa Maria Valley.

Response to Recommendation 5b: The recommendation will be implemented if requested as described in 5a above and upon direction of the Board of Supervisors.

Recommendation 5c: Participating government entities should collaborate in identifying, and preparing applications for, both public and private grants for which this project qualifies.

Response to Recommendation 5c: The recommendation will be implemented if requested as described in 5a above and upon direction of the Board of Supervisors.

Air

Finding 6: The two locations measuring air pollution for the past 20 years in Santa Maria have given a misleading measurement, because these locations do not include the contribution to air pollution caused by ever-increasing traffic.

Response to Finding 6: Neither agree nor disagree, based on the fact that the County has no information to support the finding.

Recommendation 6a: Santa Barbara's Air Pollution Control District should request that the California Air Resource Board relocate this Santa Maria air monitoring station promptly to a site that more accurately registers the air quality by including the commuter traffic and new demographics of this growing City. The station should be relocated east of Highway 101, and east of Marian Medical Center (along South Suey Road) in order to get truer readings of air quality and pollution in Santa Maria.

Response to Recommendation 6a: The recommendation will not be implemented by the County because it is not reasonable. Air quality monitoring is the responsibility of the Santa Barbara County Air Pollution Control District.

Recommendation 6b: The Board of Supervisors should direct the Planning Commission to begin a priority revision of South Coast Land Use and Zoning Plans and its housing policies with the goal of actually meeting South Coast housing needs.

Instead of continuing the County's longstanding policy of inadequately addressing the South Coast housing needs, available South Coast housing would be the only possible way of mitigating the Santa Maria valley air pollution resulting from South Coast employees having to crowd Highway 101 to obtain affordable housing.

Response to Recommendation 6b: The recommendation has been implemented. However, we disagree that the County has a policy of inadequately addressing the South Coast housing needs. The County has undertaken a number of initiatives to improve jobs-housing balance. These include: interim housing element amendments to increase the proportion of units in market rate projects affordable to middle income families; a longer term revision of the housing element schedule for 2002; more employment opportunities in the northern part of the County; and selective rezoning of south coast commercial properties for housing; formation of a new Department of Housing and Community Development to concentrate county financial resources and expertise in the provision of affordable housing and developer pursuit of federal legislation to provide CDBG entitlement status, which would add approximately \$3 million per year for community development programs, including affordable housing on the South Coast,

Water - Quantity of Groundwater in the Santa Maria Valley Basin

Finding 7: The recharge to the aquifer in the Santa Maria basin has been diminished due to the continued siltation at Twitchell Reservoir.

Response to Finding 7: Agree. As a result of concern regarding sedimentation and its potential effects on both reservoir yield and operability, the Water Agency initiated development of a sediment management plan in 1997. The current phase of implementation of the plan focuses on sediment transport modeling to evaluate plan alternatives.

Recommendation 7a: Resolve the conflicts in estimates of discharge to the Santa Maria Valley aquifer as soon as possible.

Response to Recommendation 7a: The recommendation has not yet been implemented, but will be implemented in the future. Because this issue is a component of a pending groundwater adjudication lawsuit involving virtually all groundwater pumpers in the basin, the County cannot determine its role at this time. Resolution is expected to be forthcoming through the legal process. Some of the litigants believe resolution may be reached within two years, but any schedule is speculative at this point. The County will determine its appropriate role when the litigation is settled.

Recommendation 7b: If an economical solution to the siltation issues at Twitchell Reservoir cannot be found in the near future, all local authorities should work cooperatively to find another source of recharge to cope with the growing need for water from the Santa Maria aquifer.

Response to Recommendation 7b: The recommendation has been implemented.

The Santa Barbara County Flood Control & Water Conservation District has an on-going program of recharge in the Santa Maria Valley. There are three notable locations where recharge of floodwater takes place:

1. Getty / Kovar Basins – Located on the west side of Santa Maria, just north of Betteravia, there are a series of basins that collect stormwater for recharge to the groundwater basin. Just recently a new basin was constructed adding more recharge capability.
2. Bradley Basins – Located at the north end of Santa Maria just east of the Freeway, there are two basins that offer recharge. These basins are subject to being sealed by fine silts. Maintenance every few years helps the recharge rates. The upper basin in this location is planned to become a City Park site.
3. Blosser Basin – Located at the northwest end of Santa Maria, Blosser Basin collects excess storm runoff and recharges the groundwater basin. Future development in the area is proposed. Through this development, the District will acquire the large unused basin adjacent to Blosser Basin, thus increasing the recharge capacity in this area.

As a part of the Flood Control District's on-going efforts, upstream retardation basins help slow water down so that the recharge basins downstream are delivered storm water at a slower rate. Retardation basins are constructed by new development, and by the Flood Control District. The Flood Control District just began construction of a new project east of Santa Maria (East Santa Maria Drainage Improvement Project) that will provide additional retardation storage. Construction will be complete this winter.

Lastly, the Flood Control District has long planned the addition of a new recharge basin to the northwest of the Getty / Kovar Basins. This basin will capture yet more storm water for recharge and meter the excess off to the Santa Maria River, where flows are yet again susceptible to recharge in the river. This project relies on consensus among the property owners and agricultural interests in the area and no schedule for implementation has been developed.

The Flood Control District is constantly looking for opportunities to recharge storm water as a means to address downstream flooding, as well as recharge benefits to the Santa Maria Groundwater Basin.

Water - Quality of Groundwater in the Santa Maria Valley

Finding 8: In 1999, The Regional Water Quality Control Board notified all water quality control districts that management and measurement of groundwater quality were being mandated by Federal law, and that each district would have two years to draft a plan that would create voluntary guidelines for the district. Failure to meet the deadline by 2002 would result in a systematic loss of local control over groundwater management in that district.

Response to Finding 8: Agree.

Recommendation 8a: Before the State Water Quality Control Board mandates measures to improve groundwater quality in the Santa Maria Basin, the SMVWCD should insist on voluntary "best farming practices" among its membership, and provide local leadership in that area.

Response to Recommendation 8a:: The recommendation will not be implemented by the County because it is not warranted. The SMVWCD should respond to this recommendation as it falls within its area of responsibility. It should be noted that “best farming practices” have not been developed for many crops grown in the Santa Maria Valley. “Best farming practices” are complex and may require significant time to develop.

Recommendation 8b: The SMVWCD should work with the Cachuma Resource Conservation District in implementing these recommendations to improve groundwater quality and provide leadership promoting "best farming practices" in the District.

Response to Recommendation 8b: The recommendation will not be implemented by the County because it is not warranted. The SMVWCD and the Cachuma Resource Conservation District should respond to this recommendation as it falls within their areas of responsibility. As stated in response to Recommendation 8a, “best farming practices” have not been developed for many crops grown in the Santa Maria Valley. “Best farming practices” are complex and may require significant time to develop.

Representation on the Santa Maria Valley Water Conservation District Board

Recommendation 9b: The SMVWCD should adjust its boundaries to include all of the SMV groundwater aquifer.

Response to Recommendation 9b: The recommendation will not be implemented by the County because it is not warranted. This is a policy matter for the SMVWCD and LAFCO.

Recommendation 9c: The SMVWCD should charge fees on the annexed lands at the same rate structure applied to existing district landowners, both rural and urban.

Response to Recommendation 9c: The recommendation will not be implemented by the County because it is not warranted. This is a policy matter for the SMVWCD.

Recommendation 9d: The District should revise its divisional boundaries in the near future to comply with the new Special District election laws.

In this way, any remedy to the problems facing the groundwater in the Valley would be based on the needs of all users, and could be funded comprehensively.

Response to Recommendation 9d: The recommendation will not be implemented by the County because it is not warranted. This is a policy matter for the SMVWCD and LAFCO.

Orcutt and the Orcutt Sub-aquifer of the Santa Maria Valley Aquifer

Finding 10: Orcutt does not have sufficient operating revenues to fund operating costs equivalent to Santa Maria's standards.

Response to Finding 10: Agree. The Orcutt Community Plan recommended creation of a Community Finance District to generate revenue to fund parks, flood retention, libraries, and road maintenance. The office of the Treasurer-Tax Collector is coordinating implementation.

Recommendation 10: Santa Maria should not be encouraged to underwrite Orcutt's operating costs, and it should continue to resist discussions of Orcutt annexation.

Response to Recommendation 10: This response has been implemented, in the sense that Santa Maria is not being encouraged to underwrite Orcutt's operating costs, and there have been no current discussions regarding annexation. In fact, studies prepared for the Orcutt Community Plan indicate that Orcutt residents actually provide a significant revenue stream to the city of Santa Maria, as approximately two-thirds of the sales tax dollars paid by Orcutt residents accrue to the city.

Health of the Santa Maria River Levee

Finding 11a: The integrity of the Santa Maria River levee is important to the recharge of the aquifer, as well as the safety of all who live, school, and work near it.

Response to Finding 11a: Agree

Finding 11b: Many Santa Maria Valley residents are questioning the flood protection capability of the levee on the Santa Maria River.

Response to Finding 11b: Partially disagree. Although County staff has concerns over the levee's structural integrity, this concern is not shared by the US Army Corps of Engineers, the agency that designed and built the levee.

Based on the results of a 1996 Flood Control Benefit Assessment Ballot Measure (a defeat of a proposed assessment increase), it appears that the public is either generally unaware of the importance of the levee to the valley, or believes that they are adequately protected by the levee in its current condition.

Recommendation 11: County Flood Control should continue with its plans to repair the Santa Maria River levee.

Response to Recommendation 11: The recommendation has been implemented. Flood Control has constantly prodded the Corps of Engineers to take a stand on the adequacy of the levee rock facing. Other efforts that are underway include:

1. Repair of three scour locations resulting from the March 2001 flood flows. This repair project is eligible for State OES funding. This project will be completed by this fall.
2. Flood Control has been working with the Cachuma Resource Conservation District to make a grant request for installation of vegetation buffers along the levee in concert with flow velocity retarding groins to reduce the river's attack on the levee in certain locations.
3. Flood Control hopes to expand additional vegetative buffers in certain areas where agricultural tail water is available.

The City of Guadalupe

Finding 13: It is legally possible for Guadalupe to annex currently non-contiguous land for urban growth needs. This would allow the City to plan its future growth on marginal farm land instead of converting adjacent highly profitable prime agricultural farm land to housing tracts.

Response to Finding 13: Disagree. This approach raises legal issues and would conflict with both county and LAFCO policies. It is not legally possible, with minor exceptions, for Guadalupe to annex currently non-contiguous land for urban growth needs. Government Code section 56741 states in pertinent part: "Unless otherwise provided in this division, territory may not be annexed to a city unless it is contiguous to the city at the time the proposal is initiated..." Gov. Code section 56031(a)(1) defines "contiguity" for purposes of annexation as "territory adjacent to, or territory adjoining territory within the local agency to which annexation is proposed." That section goes on to state that "Territory is not contiguous if the only contiguity is based upon a strip of land more than 300 feet long and less than 200 feet wide, that width to be exclusive of highways." There is an exception in Government Code section 56742 that allows a city to annex non-contiguous property not exceeding 300 acres that are owned by the city, located within the same county and is being used for municipal purposes, for waste water facilities, and US Government land (the prison exception).

Recommendation 13: Guadalupe officials should continue plans and programs to obtain LAFCO approvals for expanding the City's Sphere of Influence and City limits to meet City population growth needs as projected by the County through 2030. They should annex ancient sand dunes (sub-prime agricultural land) northeast of Brown Road and an access corridor across prime agricultural land for needed upscale housing in the Santa Maria Valley. This development of "Guadalupe South" could increase the future real estate tax base and support local businesses.

Response to Recommendation 13: The recommendation will not be implemented by the County because it is not warranted. These are policy issues for Guadalupe and LAFCO. The County does have some policy concerns with the recommendation. First, the County projections are not a policy statement. They are simply an illustration of what growth would be like if countywide growth during the 90's were extended and allocated to each area based on its current proportion of countywide population. It may not be appropriate for each city and area in the county to grow

at the same rate, particularly if to do so would require conversion of agricultural land. Second, these are policy questions for the Housing Element updates and require regional coordination and cooperation. Guadalupe's fiscal issues may be better resolved through economic development within its existing borders.

Finding 14: The Regional Water Quality Control Board (RWQCB) provided a large grant and technical advice so that the water supply and sewer treatment facilities of Guadalupe were upgraded to comply with all governmental regulations.

Response to Finding 14: Agree.

Recommendation 14: Guadalupe officials should continue to work with RWQCB to further improve the quality of water and of sewage effluent treated by the City of Guadalupe sewer farm.

Response to Recommendation 14: The recommendation will not be implemented by the County because it is not warranted. Guadalupe services are the responsibility of its City Council. As a matter of regional planning, the County supports close cooperation between Guadalupe and RWQCB to protect ground water supplies historically used by the City. For example, ground water is an essential element of the City's supply, and must be available during any reduction in state water project deliveries.

Finding 15: City leaders are working on plans and negotiating with adjacent property owners to develop the Guadalupe City Slough into an attractive multi-purpose City Park with numerous amenities.

Response to Finding 15: The County assumes the finding is correct, but has no direct information about the City's plans and negotiations.

Finding 16: The Nature Conservancy, manager of the Guadalupe Dunes, has improved Oso Flaco Lakes just north of the County border with amenities, but it has done nothing to provide similar recreational facilities at the Santa Maria rivermouth estuary.

Response to Finding 16: Disagree. The County Board of Supervisors executed a lease agreement with The Center for Natural Lands Management (CNLM) on June 20, 2000 to manage and maintain Rancho Guadalupe Dunes County Park. The lease agreement with The Nature Conservancy (TNC) to manage the Park was voluntarily terminated by both parties at this time and transition of management included transferring endowment funds and one-time management and operation funds in the amount of \$1,100,000 for Rancho Guadalupe Dunes Park from TNC to CNLM.

From 1989 until management transition to CNLM, TNC raised and dedicated significant funding and staffing in the development of the Management Program for the Guadalupe-Nipomo Dunes Preserve and the Rancho Guadalupe Dunes County Park Final Master Plan. Both these study

and planning documents represent the blueprint for future conservation and recreational activities at the park.

Over a period of years, The Nature Conservancy held extensive public workshops, circulated public opinion surveys and worked closely with County Parks to develop park management and development plans to balance demand for coastal recreational opportunities with resource protection as mandated by the Federal Endangered Species Act.

County Parks has received continued support to further the progress towards implementation of the park master plan from the new management entity, CNLM. This park master plan provides for reconstruction of a protected parking area, public restroom facilities, picnic tables, trails and scenic overlooks. County Parks has been successful in securing grant funds from a number of mitigation programs sufficient to permit and construct the improvements. The master plan has progressed through the County Planning Commission where approvals were received in March 2001. The California Coastal Commission is currently reviewing the plan and is waiting on U.S. Fish and Wildlife Service to complete their review and recommendations for the Habitat Conservation Plan prepared by County Parks and required in order to address impacts from park development on existing endangered species.

The Habitat Conservation Plan (HCP) was submitted to U.S. Fish and Wildlife Service (USFWS) in October 1999. To date, USFWS has not been forthcoming with their signoff of the plan. Repeated efforts by County staff, County Parks Commission and interested public officials to elevate Rancho Guadalupe Dunes Park HCP as a priority in the USFWS review process have been slow. General preliminary comments from USFWS on the HCP were received in April 2001 with promise of formal comments following additional detailed review. In the meantime, the master plan has been submitted by County Parks to the California Coastal Commission. The Coastal Commission has extended permit processing of the master plan an additional 90 days as of August 2001 while USFWS completes their review of the HCP.

Recommendation 16: Guadalupe should continue with its requests to the County and the Nature Conservancy to expedite the improvement of public recreational facilities at Guadalupe Beach Park as the Conservancy has done at its facility at Oso Flaco.

Response to Recommendation 16: This recommendation has been implemented. The County of Santa Barbara has completed a park master plan to facilitate recreational improvements and resource conservation at Rancho Guadalupe Dunes County Park. Funding to permit and construct the master plan have been secured through grant sources. The City of Guadalupe was afforded the opportunity to review the master plan and has approved the proposed development.

Implementation of the master plan now awaits permit determination by US Fish and Wildlife Service and the California Coastal Commission. It is anticipated that the Coastal Commission will consider the County's permit application at their November 2001 pending USFWS formal position on the HCP.

It should be noted that The Nature Conservancy no longer manages or maintains Rancho Guadalupe Dunes Park on behalf of Santa Barbara County. The County has entered into a management agreement with The Center for Natural Lands Management. Additionally, The Nature Conservancy

has transitioned management and operation of Oso Flaco Lake Natural Area to California State Parks.

Finding 17: The City has done a commendable job to redevelop a blighted area (the City Slough) into a multi-purpose park.

Response to Finding 17: The County assumes the finding is correct, but has no direct information about the City's plans.

Recommendation 17: Guadalupe officials should continue plans to develop the Guadalupe City Slough into an attractive multi-purpose park featuring a general cleanup, conservation of nature species, children's educational facilities, boating, fishing, picnicking, etc.

Response to Recommendation 17: *The recommendation will not be implemented by the County because it is not warranted.* This recommendation should be responded to by the City of Guadalupe.

Finding 18: Paradise Beach has the potential to be improved to become a multi-purpose County/City recreational and conservation park.

Response to Finding 18: *Disagree.* Vehicular access to Paradise Beach would require major road construction across private ranchland. Such road construction would need to address very steep terrain, sand dunes, and environmentally sensitive habitat, and probably the need to condemn property.

Recommendation 18: Paradise Beach (through efforts of the City of Santa Maria, Orcutt, and the County) should be developed into a County park similar to the beach at the base of the cliff at Summerland on the South Coast. Additionally, the County, the City of Santa Maria, and Orcutt in combination with input from the city of Guadalupe should encourage the State legislature and the local representatives to bring Point Sal Beach State Park up to a reasonable standard (regarding access, parking, and sanitation facilities) for safer and enhanced public use.

Response to Recommendation 18: *The recommendation will not be implemented because it is not reasonable.* The remoteness of Paradise Beach makes it a different proposition than Summerland, which is immediately adjacent to an urbanized area and existing roads. As explained in response to Finding 18, vehicular access is infeasible at this time.

Finding 19: Restoration of Betteravia Lake could provide recreational and educational benefits for Guadalupe, its residents, and visitors.

Response to Finding 19: *Agree.*

Recommendation 19: Guadalupe officials should participate in planning and promoting restoration of Betteravia Lake, or portions thereof, into a multipurpose park

Response to Recommendation 19: The recommendation will not be implemented by the County because it is not warranted. The recommendation is directed to, and should be responded to, by Guadalupe officials.

Finding 20: LeRoy park, currently Guadalupe's only park, and its valuable community buildings, may sustain flood damage in the future.

Response to Finding 20: Agree.

Recommendation 20: In combination with County Flood Control, Guadalupe should seek to protect LeRoy Park and consider extending the Santa Maria River levee west of Highway 1, and create an earth berm around the unprotected three-acre site as an affordable first step in solving Guadalupe's flooding issues.

Response to Recommendation 20: The recommendation will not be implemented because it is not reasonable due to the cost of such a project. The majority of the City of Guadalupe is located 10 – 15 feet above the adjacent river terrace at LeRoy Park and along Pioneer Street. Consequently, river flood flows threaten a relatively small portion of the city. County Flood Control has conducted maintenance in the river channel to the extent that mitigation, funding, and permitting constraints allow. A maintenance project is planned for fiscal year 2001-2002 to help the LeRoy Park area.

Flooding issues on Pioneer Street in Guadalupe were complicated by an artificial berm built across an adjacent agricultural field. The flooding potential along Pioneer Street can be reduced by addressing the berm issue. Planning & Development is currently reviewing permit violation issues on the site. The Public Works Department will work with Planning & Development to address this problem.

While extension of the Santa Maria River Levee would help the flooding problems along LeRoy Park and Pioneer Street, the costs of such a project would be immense. Existing Flood Control funding in this area is currently not adequate; thus construction of such a capital project would be impossible without outside funds. Even with outside funds, the required local match would far exceed the ability of the Flood Zones (Flood Control Funding Districts) to pay these costs, estimated to be in the millions of dollars.

Finally, while the suggestion of a berm around the LeRoy Park facilities could offer protection to the park facilities, other flood damage mitigation options exist. One option the City could consider is flood proofing the building itself to prevent damage to the structure and its contents.