

Draft Comment to General Plan EIR NOP

prepared by Russell R. Ruiz as an individual City resident

I have been following the General Plan Update process, and the hearings and Staff Reports leading to the Notice of Preparation procedure. I have submitted comments to the Planning Commission and to the City Council on General Plan Water Supply issues. In December Community Development staff and Water Resources staff gave a report on the EIR process at the City Water Commission meeting that I attended. My primary concern at this juncture is the water supply baseline for the Water Supply section of the EIR. This document is being prepared at a time that there is uncertainty about two of the City's important water supplies, State Water and Gibraltar. When doing long term water supply and land use planning, making a miscalculation on anticipated future water supply by being conservative can be rather easily rectified, if the facts warrant it in the future. Making a miscalculation by overestimating our anticipated future water supply can have severe consequences. Our next door neighbor the Goleta Water District ran out of surplus water in 1972 and operated in a chronic water shortage for the next 25 years. The hardships on the Water District's residents and property owners was particularly exacerbated during the drought of the late 80's and early 90's. That chronic water shortage required the expenditure of in excess of \$130,000,000.00 (one hundred and thirty million dollars) to address. On our other border the Montecito Water District almost ran out of water last year. Questions about their ability to serve new development has raised uncertainty for property owners both in Montecito and in the City, on property served by the Water District. Ten years ago Montecito was seriously considering selling some of the State Water allotment acquired when Summerland Water District was merged, as Montecito thought they had more available water supply than necessary to serve their future needs. Montecito's current predicament has occurred without much new development in the service area.

In addition to advocating a conservative approach in general, my main goal here and now is to try to effectively communicate with staff that the EIR baseline should not include a water supply from the Desalination Facility. The Desalination Facility is not operational. We will soon receive a report that will show the estimated cost to re-activate the Facility and the projected costs to operate it. If sometime in the future the City Council decides to fund that expenditure, at that time it would cost in excess of \$20,000,000.00 (twenty million dollars) just to activate the Facility and the operational costs would make it by far the most expensive water to produce. Our water rates are structured so that every water user in the City would be required to share in those costs. In my opinion, during the term of the General Plan Update the decision to spend that kind of money for this purpose in the face of the City, State and federal economic situation would be prohibitive, both fiscally and politically, and therefore should not be considered likely. If there is any question on this issue, staff should

take the question directly to the Council now before hundreds of thousands of dollars are spent on what would be a factually and legally flawed EIR, if it is written with an inaccurate and speculative water supply baseline.

There have been several reported cases recently discussing State Water and its use to serve new development, where the term "paper water" has been coined. It is my opinion that the same analysis that has given rise to the term "paper water" as applied to State Water allotment would be equally applicable to our Desalination Facility if it were to be considered part of the existing water supply baseline for the EIR. The supply does not currently exist. A substantial expenditure would be required to make it available and there is no current evidence that the City Council would approve that expenditure during the term of the General Plan Update, absent an emergency, and simply to fuel and serve new development. As a definitional matter of law and fact, a water supply from the Desalination Facility is not part of our existing baseline condition and the General Plan EIR should accurately reflect that fact.

Water is of course a fundamental building block necessary to support new development. We should not formulate our General Plan based on a water supply source that is speculative today, extremely costly and energy intensive if implemented in the future, and would carry the carbon footprint of a Sasquatch.

Other issues that should be considered in the General Plan Update and the Water Supply section of the EIR include resolution of water service to the so called Goleta Overlap Area, and water service to that part of the City currently served by the Montecito Water District, primarily on Coast Village Road.

I would be happy to further develop this input if given the opportunity and I hope that through the Water Commission we are given that opportunity.