



February 18, 2009

Salud Carbajal, First District Supervisor
County of Santa Barbara
105 East Anapamu Street
Santa Barbara, California 93101

Dear Supervisor Carbajal:

We are in receipt of a copy of your January 23, 2009 letter to the Cachuma Operation and Maintenance Board (COMB). In that letter you seem to express surprise that the Cachuma Project member water agencies believe that the cost of a program to reduce the potential for outside boaters to spread invasive Quagga or Zebra mussels to Lake Cachuma should eventually be born by the boaters who present that risk. You seem to suggest that such costs should be permanently subsidized by water rates, and, that absent such subsidy, the Board of Supervisors may direct a reduction in protection from such boater based risk. We believe that your position is not correct, and would like to point out facts we feel are important to your constituency beyond the boater community.

Lake Cachuma serves as the PRIMARY source of water supply for your constituents in the First District, as well as the Second and Third Districts and, indirectly, the Fourth, including the approximately 12,000 customers of the Montecito Water District. In addition to Santa Ynez River water captured at the Lake, the South Coast, including this District, relies on Lake Cachuma and connected water facilities for delivery of State Water Project water. Lake Cachuma's PRIMARY intended and legally authorized purpose is to provide for such essential water delivery, and any interruption or interference in that function could have dire health, safety and economic impacts to the entire South Coast of Santa Barbara County.

A SECONDARY benefit of Lake Cachuma is for recreational use. The park and boat launching facilities are managed by the County Parks Department. There is now increasing concern that such recreational boating uses, particularly by boaters whose boats have been outside Santa Barbara County, could lead to the introduction of invasive Quagga and/or Zebra mussels. This would have a devastating impact on Lake Cachuma and related water facilities.

When the County of Santa was originally provided the recreation contract for Lake Cachuma, it was with the understanding that park operations would be managed in such a way that the park would eventually help repay the debt for construction of Lake Cachuma. Despite over 50 years of operation, County Parks represents that they still barely break even. All debt repayment and operations costs for Lake Cachuma are therefore paid by the local water customers.

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When the threat of infestation by Quagga mussels from outside boats was originally identified in 2007, the Cachuma Project member units requested that the County impose a temporary moratorium on such boats (as was adopted at Lake Casitas in Ventura County) while a more permanent prevention program could be developed. County Parks' response was that such interruption would be financially harmful to parks revenues. Instead, an inspection, treatment and quarantine program was proposed. That program initially had a fairly large proposed budget for treating a small number of boats. The County indicated it could not fund such costs from available park revenues.

In response to those concerns, and in spite of the lack of much requested information, in 2008 the Cachuma Operation Maintenance Board (COMB) conditionally offered to contribute up to \$60,000 to the County of Santa Barbara, on a one-time basis, to assist the County in funding a comprehensive program, including boat quarantine, treatment and tracking, to prevent an infestation of Quagga and/or Zebra mussels in Lake Cachuma and the resulting infiltration to water facilities. As a member of COMB, Montecito Water District voted against the COMB contribution as we did not believe it appropriate for our customers to provide such further subsidy and because we also had concerns for the adequacy of the program. The motion passed, but COMB's offer was prefaced with the requirement that it was to allow a "bridge" year for full funding of maximum control efforts while the County ramps up appropriate fees to allow the program to be funded in future years by the boaters who benefit from lake use and present the potential for contamination. It also required an indemnification by the County to clean up the mussel problem should they be introduced. Further, the offer specified that COMB's participation should not be misconstrued as any District's individual participation in, or its waiver of the County's sole responsibility for addressing this problem.

This District's expectation on behalf of our public is that the County will impose all available measures to prevent an infestation of Quagga and/or Zebra mussels by the boaters. In its role as the manager of the Lake Cachuma Recreation Area, and particularly of the locations where boats are launched, the County of Santa Barbara is entirely responsible for controlling the potential infestation of exotic mollusks. While the County certainly has been aware of the serious potential for a Quagga mussel infestation for several years, we are concerned over its commitment to prevent such an infestation. At Lake Casitas, a more stringent quarantine and treatment program is in place, fully funded by the boaters. We are advised that despite similar risks, the program at Cachuma is less stringently enforced, and fees and charges have not increased to provide the needed funds. We are also advised that the County's much heralded treatment station consists of a single portable power washer, which does not appear to be regularly manned.

This is an area of environmental protection and public health in which the County should place protection of water resources as its highest priority, yet this also has not been evidenced in the ongoing process between the County and the United States Bureau of Reclamation for renewal of the recreation contract. The Draft Environmental Impact Statement (EIS) for the related Cachuma Lake Resources Management Plan prepared by the USBR in 2008 acknowledged the potential for an infestation, yet its proposed mitigations were woefully inadequate. In October

2008, Montecito Water District, in collaboration with Goleta Water District (also a member of CCRB and COMB), provided comments on the draft EIS, which describe the potential consequences of a failure to prevent an infestation:

Reclamation's EIS acknowledges that Alternatives 2 and 3 would both increase boat use at Lake Cachuma. EIS at 4-27, 4-31. The EIS also states that this increased boat usage comes with an increased risk that Quagga and/or Zebra mussels could be introduced into Lake Cachuma. Id. at 4-37. Moreover, Reclamation agrees that these "mussels can multiply quickly and clog waterways and pipelines, affect lake ecosystems, and create costly maintenance issues. [N]o safe remedy is currently available for eliminating them for a waterbody once it is infested." Id. at 2-12. However, the EIS concludes that, through the implementation of inspection procedures, there would be "no impact" caused by Quagga or Zebra mussels. Id. at 4-71 (Tbl. 4.12-1).

The Districts find this analysis both contradictory and incomplete. First, Reclamation states that quarantine and inspection protocols will be re-evaluated from time to time to determine their effectiveness and, should exotic mussels be found in the Lake, further protective measures would be suggested. However, Reclamation also admits that once a water body is infested, there is no means to completely eradicate the mussel species. Compare EIS at 4-37 with EIS at 2-12) Although efforts are being made to develop methods of controlling the growth and spread of these mussels in natural systems, no effective eradication method currently exists. Moreover, inspection and quarantine procedures are far from fool-proof. Quagga and Zebra mussels can be difficult to see when hidden on the mechanical assemblages of boats, and are often so small that they "feel like sandpaper to the touch." CALIFORNIA DEPARTMENT OF FISH AND GAME, "ZEBRA MUSSELS FOUND IN CALIFORNIA RESERVOIR (Jan. 16, 2008) [hereinafter ZEBRA MUSSELS FOUND]. The mussels can survive for several days even when out of water (CALIFORNIA'S RESPONSE at 1 & n.26), and their microscopic offspring can be transported in a minimal amount of water. Id; CALIFORNIA DEPARTMENT OF FISH AND GAME, FREQUENTLY ASKED QUESTIONS QUAGGA/ZEBRA MUSSELS" [hereinafter FREQUENTLY ASKED QUESTIONS]. Federal and state wildlife agencies have hypothesized that the recent spread of the mussels from the eastern United States to Lake Mead and other western water bodies resulted from microscopic mussels being transported in the water sitting in the hull of recreational boats. ZEBRA MUSSELS FOUND.

Second, the EIS concedes that Quagga and Zebra mussels can clog pipelines and create costly maintenance issues, but the EIS fails to explain what this means in terms of Lake Cachuma specifically. Currently, the Santa Ynez River system is unaffected by Zebra and Quagga mussels. If exotic mussels infest Lake Cachuma, they are likely to spread throughout the Santa Ynez River watershed and clog the water delivery infrastructure that delivers water to hundreds of thousands of Santa Barbara County residents, businesses, and farms, including the District's customers. Such an infestation could greatly reduce the quantity of water that could be delivered, and putrefying mussels with their secondary excreted contaminants would reduce water quality. Given the aggressive growth patterns of the mussels, total occlusion of the water delivery system is a distinct possibility. In the absence of a redundant system for water delivery, and given the

increasingly difficult task of finding alternative drinking water supplies, the effects of shutting down the Districts' infrastructures to remove mollusk populations would be devastating.

Third, the impacts of Quagga or Zebra mussel infestation of Lake Cachuma would not be limited to the reservoir but would likely spread throughout the Santa Ynez River system. Any downstream infestation is likely to have a serious impact on the federally-listed endangered Southern California Steelhead. While the EIS acknowledges that "[r]ecreational uses and improvements must also not interfere with protection of . . . Southern California steelhead" (EIS at 1-1), the increased lake boating allowed in Reclamation's Alternatives 2 and 3 increases the risk of exotic mussel infestation downstream as well as within the lake itself, since water is released from Lake Cachuma to support the listed fish population. The potential effects of such an infestation on listed fish and on an area beyond the defined "Plan Area" must be analyzed and discussed in the EIS.

For Montecito Water District, as well as the other Districts served directly or indirectly from Lake Cachuma, and their customers, a Quagga and/or Zebra mussel infestation would be disastrous. As we have repeatedly noted, the District will hold the County entirely responsible for any failure to prevent an infestation that impacts the District's water supply or its delivery system. As the County Supervisor representing the District service area and its customers, we need your help, and that of the entire Board of Supervisors, to represent these essential local health and safety interests, and to make sure that the Parks Department takes all available measures to prevent such infestation. We also ask that as the County moves forward with contract renewal with USBR, that the County includes the types of binding commitment to water quality, including measures to preclude invasive species infestation, and communicate such commitment to USBR so it can improve on the inadequate discussion in its EIS.

We appreciate that the boating and fishing interests want little or no interference with their recreational use of the lake by boats. Those special interests should not, however, drive County decision-making in this vital area. Rather the potential devastation to the lake's primary water supply purpose clearly calls for a ban of boats not used exclusively at Cachuma and then only after a thorough inspection and quarantine. The County's current plan falls far short of this.

Finally, as to County requests for further water user subsidies of Parks Operation or boater use, please note that such funding would need to come from the same Montecito and Summerland customers already bearing significant costs to obtain and treat water in a water short time. Such customers include many on fixed income, who do not have the choice to spend money on boats, travel or boating, and also include agricultural customers barely able to maintain the operations which provide the much enjoyed agricultural open space on the South Coast.

If the County believes that such constituents are willing to subsidize recreational boating costs, we would be willing to participate in County organized community forums to gauge such willingness. Our District, in fact, is required by California Constitution Article XIII D (Proposition 218) to hold noticed public hearings before we can raise rates for any purpose, and

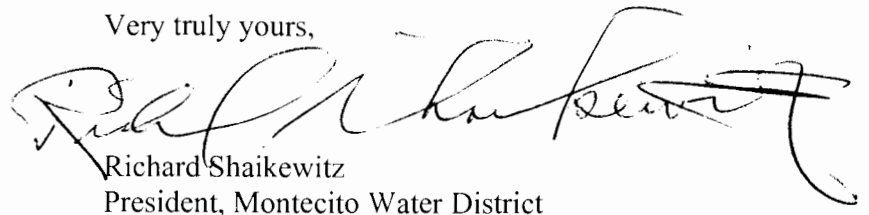
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may in fact require a public vote for such subsidy of non-water related purposes. As a Water District Board of Directors, we do not believe that is our purpose. If the County would like to take the lead in such effort please call me to discuss how we may cooperate. In the mean time, we request your direction to County Parks staff to either close the Lake to outside boats, or otherwise fully implement the most aggressive protection program possible, and with full boater funding.

We have heard estimates that run to several million dollars a year for the cost to Santa Barbara County of a mussel infestation. This is not for a cure, but the cost to keep pipes clear and for additional water treatment. We do not know if all, or part, of this cost would be covered by the county's insurance. But, if the mussels come, the tax payers of Santa Barbara County are going to be very, very unhappy.

Thank you for your consideration of this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Richard Shaikewitz', written over a printed name and title.

Richard Shaikewitz
President, Montecito Water District

CEW:ikh
RS/lw

cc: 2nd District Supervisor Janet Wolf
3rd District Supervisor Doreen Farr
4th District Supervisor Joni Gray
5th District Supervisor Joseph Centeno
Michael Brown, Chief Executive Officer
Terri Nisich, Assistant CEO
Dan Hernandez, SB County Parks Dept.
Board of Directors, Carpinteria Valley Water District
Santa Barbara City Council
Board of Directors, Goleta Water District
Board of Directors, Santa Ynez River Water Conservation District-ID No. 1