

Subject: Urban Water Management Plan and GVPAC planning

Date: Tue, 8 Feb 2011 11:59:13 -0800

Dear Mr. Hunt;

I have been following the GVPAC planning process and at the last meeting it was clear that the County envisions several areas of increased density for parcels of land within the Eastern Goleta Valley.

Although it is hard to correlate with existing zoning designations, these increased densities appear as an attachment to the maps for the "Proposed Land Use Plan for Eastern Goleta Valley" and many are described as "Small Town Neighborhood" zones. As you are no doubt aware the existing Urban Water Management Plan for the Goleta Water District [UWMP] was completed in 2005 and the water supply and demand projections used in that Plan were based upon "existing County zoning designations" which were simply obtained from the County prior to completion of the final plan. Some of these new designations being proposed include densities of as many as 30 dwelling units per acre for certain parcels within the Goleta Water District.

The District is currently in the process of updating that UWMP to comply with the policies and procedures adopted by the Board since 2005 for the groundwater, drought buffer water supply, and to project water sources and availability in the future. The Groundwater basin is significantly controlled by the Districts "SAFE" ordinance which limits any new connections or authorizations for water service, particularly during drought cycles, which unfortunately, seem to be occurring with greater frequency in recent years.

Case law during the past decade made it clear that so called "paper water" may not form the basis for any proposed development. Real, actual, predictable and reliable supplies of present and FUTURE water must be available before any development is approved because, obviously, such water use is a long term commitment and likely to include periods of drought and water shortages, etc. It therefore seems imperative that the planning process include direct coordination with the Goleta Water District who has the primary responsibility to furnish future water to any of these parcels proposed for re-zoning or increased density within the District boundaries. In particular if land is zoned or re-zoned to higher densities the land owner or purchaser and any subsequent owner or purchaser must be made aware, perhaps by the utilization of a covenant running with the land or collateral agreement, that an increase in zoning density does not guarantee any available water supply. This will serve to minimize any misunderstanding that the rezoning is not an automatic right to develop. It will also help to reduce potential future litigation by those who may feel they have been misled.

In the past the county's position was to zone or re-zone land and then leave the question of what water supply may be available to become a part of the environmental analysis that would occur once a development application was submitted for review based upon the existing zoning. Because of the importance of water to ANY development contemplated by zoning changes particularly necessary for increases in density, it is extremely important for the County to coordinate any such zoning changes with the most accurate projections available for future reliable water supplies, which are to be examined in the, soon to be revised, UWMP. I believe this will ultimately reduce any community

misunderstandings and any claims by purchasers and developers of rezoned land that the increases in zoning density is necessarily an increased right to develop the land to the densities permissible by the record zoning.

Jim Marino