

ANALYSIS AND COMMENTS CONCERNING THE SPECIAL BOARD OF DIRECTORS MEETING HELD ON MARCH 28, 2006

The following analysis and comments are being prepared for the farmers and concerned citizens who either could not attend the meeting because of the weather, illness, or scheduling conflicts, and for the members of attendees who because of the length of the meeting had to depart prior to its conclusion.

I will start with the obvious which is that the theme of the night by the Board of GWD is that everyone at the District loves the farmers and wishes to protect local agricultural. A very good start by the GWD considering the audience and its need to try to gloss over the actions of the Board which had occurred for over the last 18 plus months which have been very detrimental to the local farmers. It was the expected PR spin that the District felt it needed. It was premeditated that the Board, after its lengthy presentation of the history of the GWD and certain selected actions of prior Boards, did not want anyone to hear any rebuttal statistics or true analysis of what has actually transpired over the last approximately 2 years. To strictly enforce a five minute presentation to each speaker, without allowing anyone to cede his or her time to me or Bert Bertrando to do a complete and meaningful presentation, was a transparent maneuver to suppress relevant information that the public has the right to hear and act upon. The five minute rule on public comments has been the rule of the Board ever since Bert and I started our investigation concerning the proposals which had been presented to the Board by the staff, all of which had the consequences of driving the farmers from the valley.

If the current Board were truly in favor of protecting the local farmers, the staff's various proposals would have never seen the light of day if any of the Directors had bothered to check the incorrect, incomplete and at times patently false data which was the alleged basis for the proposals. Bert and I after months of intensive review of all relevant data, both as members of the citizens' rate advisory committee and on our own as concerned citizens, by our constant comments at the monthly Board meetings and submission of written comments have finally forced both the staff and the Board to concede they were making a mistake with the proposals to change how the farmers were to be rationed and billed as to their future water use. The amount of time and money wasted by the District in forcing the entire community to go through this process was substantial and not justified. A patently incorrect and improper recommendation from the staff should be fully and carefully reviewed by the Board members individually and by the Board's various special committees before the proposals are submitted for public comment. The Board clearly and improperly put the cart before the horse. If the proposals are based on alleged facts that are not true or are not relevant, the proposals should be rejected out of hand by the Board's special committees after they have done its proper due diligence.

The board twice before in the last 18 months had delayed its actions on the staff's various proposals based upon citizens' comments, but each time returned with basically the prior proposals that had been adjusted only in the sense of having the proposals more punitive as to the existence of the local farmers. Last night's action of the Board merely stopped the assault on the farmers for an unspecified time. Because of two of the Board members having their terms up for renewal in the November election if they wish to serve another 4 years, it is highly unlikely to have anything happen in regard to the local farmers until 2007.

The decision to keep in place the existing new water charge is telling in that this action is clear evidence of the current Board's true intention to strangle and restrict the expansion or introduction of any new farms in the valley. This action speaks loudly as to the long range game plan of the GWD and its staff as to the future of local farming. **ACTIONS SPEAK LOUDER THAN WORDS!**

The lessons to be learned from the actions of the Board over the last 18 months and last night's decision to keep the new water charge in place is that the community is just in the lull of the storm and more bad weather for the farmers is on the immediate horizon. The pressure on the farmers will continue even more intensely over time as the developers continue to lick their chops over acquiring the many prime farms and turning them into high density housing and retail centers. All concerned farmers and citizens must remain active and stay advised of the actions of the GWD. Come November finally the citizens can express their feelings as to the conduct and policies of the current Board.

The positive things that came out of last night's meeting are the following:

1. The CWD now knows that the local citizens are organized and committed to protecting the existence of the local farmers in order to ensure open space and a viable local supply of food.
2. The various groups will be paying close attention to the future proposals and actions of the GWD as it impacts the local farmers.
3. The local farmers will not be subjected to any new proposals on their water use and cost of water until after the November elections.
4. The concerned citizens in attendance at the meeting started to see first hand how the GWD handles public input on the issues that are of great importance to the welfare of the community. Specifically after last November's public meeting at which over 30 citizens spoke, without making any written transcript of the comments, the District destroyed the audio tape of the meeting. The minutes of that meeting are completely silent as to what anyone said to the Board. I have ordered a copy of the tape of last night's meeting. I will have it on the farmer's website at goletawater.org for review of those who did not attend the meeting.

5. The tactics of the staff of the District when it receives any information which is negative as to the operations of the District. I recited during my 5 minutes of the conversation with Mr. Walsh on March 6th, in the presence of Mr. Bertrando, during which Mr. Walsh had a direct and highly improper threat to me in an attempt to suppress the information which I had discovered concerning the 1996 Cachuma Contract with the Federal government. Specifically for those who were not at the meeting, the contract provides that all irrigation water ordered and delivered from the lake had to be used exclusively for agricultural. Mr. Walsh knew that the District had told the Federal government to deliver since 1997 a large quantity of irrigation water which was never delivered to the farmers as required by the contract. When he asked me what I was going to do with this information, I told him all the “cards would be on the table for the public” He immediately told me that since I have my farm on the west conduit of the District and all of that water is untreated, the only reason my farm was receiving water is because he had obtained a temporary permit to deliver the water, and if he did not renew the permit, I would receive no water. An offer worthy of something out of the movie the Godfather! The Board appeared completely unconcerned about this blatant act of extortion and asked no questions to me, Mr. Bertrando or most importantly of Mr. Walsh concerning his threat to me! I have gone public with this information and the Cachuma Operations & Maintenance Board, which administers the delivery of water for the Federal government from Lake Cachuma, has it on its April Board meeting agenda. The tactic of the staff is if you tell the truth and it causes any problem for the District, you will be punished! If the Board takes no action concerning Mr. Walsh’s highly improper conduct that means the Board considers it acceptable practice by its employees. The above event was not denied by Mr. Walsh when he answered a series of questions at the end of the meeting. His silence is an admission that he made the threat.

6. The brief presentation by Mr. Walsh and Mr. Ruiz validated the fact that under the Cachuma contract the GWD has for the last eight plus years have been ordering and taking delivery of lake water in an amount greatly in excess of the water actually delivered to the local farmers. Thus there is no shortage of inexpensive lake water which is available to existing farmers and thus no justification for the continuation of the New Water Service Charge, The consequences of the New Water Service Charge is to limit existing farmers from the full beneficial use of their land and to completely stop anyone from developing a new farming operation. Mr. Ruiz expressed great confidence that the officials from the Federal Bureau of Reclamation, who sell the water to GWD, will be very understanding and cooperative in handling the District’s breach of the contract and depriving the Bureau of accurate information so that the cost of the irrigation water could be computed and charged pursuant to the terms of the contract. The truly sad part of the above is that the above situation should never have occurred in the first place since it is clear the staff of the District does not function properly.

On March 6th when Mr. Bertrando and I discussed the situation with Mr. Walsh, I asked him how did the District determine each year how much irrigation water was requested from the Bureau. I actually showed him a copy of the District's report which asked for 31% of the District's allocation. It was clear that he had never seen the report before and that he had no idea why the 31% amount was ordered .He speculated it was possibly an automatic response back to the Bureau which was done by the District's computer. At the meeting he had a nice sounding story of how the amount is determined each year. I have attended every Board meeting since November 2004 and the amount of lake water to be ordered by the District has never been mentioned, let alone discussed by the Board. WHO IS MINDING THE STORE?

Bert Bertrando and I will continue to monitor all of the activities of the GWD and keep the concerned citizens advised of developments. Concerned citizens should periodically check the farmers' web site for the latest information concerning the actions of the GWD.

Jack Ruskey