

SUMMARY OF INFORMATION PRESENTED TO THE DIRECTORS OF THE GOLETA WATER DISTRICT AT THE BOARD'S MEETING ON MARCH 14TH.

The following information was presented to the Board of Directors at the beginning of their meeting on March 14th by me and Bert Bertrando:

- 1.** The minutes of the prior Board's meeting were completely inadequate as to giving any information as to the substance of the matters discussed. The Grand Jury in its review of the actions of the GWD had found that the form of minutes were not adequate. In spite of the objections, the minutes from the prior meeting was approved without change.
- 2.** The alleged subsidy by urban customers of the cost of Agricultural water was challenged as being a false assertion by the GWD. The minutes of the Board's meeting on November 9, 2004 had the following statement by Kevin Walsh as to the cost of Agricultural water:" Per the review made by staff, it costs the District about \$1.35 per hcf and all ag water is sold at \$0.95. However, this has not been reviewed by the Board nor the public." On several occasions during public comment period at Board various meetings I had asked if the review of the study on the cost of ag water had been finalized. In response to all of my questions I was told they were still working on the analysis. Finally, I filled a request for Public Records to obtain a copy of the analysis of the cost of ag water. On January 27th I received a letter from Russell Ruiz, writing as legal counsel for the GWD, that in response to my request there were no such records! He did with his letter attached two one page sheets, each of which were marked draft, which apparent was the total sum of the District's analysis of the cost of ag water. Neither sheet supported the figure of \$1.35 used by Mr. Walsh in November 2004.
- 3.** The Board was further advised that during a meeting held the prior week with Mr. Walsh, Mr. Bertrando and myself, we suggested to Mr. Walsh that right then and there the three of us review the analysis previously done by Mr. Bertrando which showed that ag water was not being subsidized by the urban customers. Mr. Walsh refused to discuss the situation with us.
- 4.** I also advised the Board that I had just finished the review of the extensive data that I had requested as a Public Record which disclosed the amount of water which had been delivered to GWD by the Federal government from 1997 to 2005, These records showed that the GWD had ordered and the Federal government had delivered 35,105 acre feet of water which was designated as irrigation water. However for this same time period the District had delivered 21,530 acre feet of irrigation water to the local farmers. There was a failure to deliver 13,575 acre feet of water to the local farmers. This was an average of over 1,500 acre feet of missing water. I asked where has all the water gone and the response was complete silence and blank stares. Even Mr. Ruiz was silent.

5. I then discussed that per the specific terms of the April 14th 1996 contract with the United States Department of the Interior for the delivery of Lake Cachuma water to the GWD ,All water ordered and delivered as ag water had to be used for irrigation and quoted the specific language from paragraph 4(b) ,page 17 of the contract which reads:” Irrigation Water shall be delivered only to land that is classified as irrigable pursuant to the Federal Reclamation Laws,” Ironically, Mr. Ruiz on March 2 had just advised me by a letter, in response to one of my Request for Public Records, that he was an expert on the matters involving water from Lake Cachuma and there was no earmarking of water from the Lake for the farmers. Even worst than Mr. Ruiz’s legal position was the fact that during the meeting with Mr. Walsh ,Mr. Bertrando, and me on March 6th .I told Mr. Walsh that the District when it ordered ag water from Lake Cachuma ,the contract required that all such water had to be used by farmers and not other customers of the District. He said there was no such provision in the 1996 contract. I told him to get me a copy of the contract and I would show him the language. He quickly found a copy of the contract and I read and showed him the language at page 17 which is quoted above. He instantly said he had never read that provision before and professed that he did not know its meaning. I told him it was clear language that the all irrigation water ordered and delivered from the lake had to be used only by the local farmers. I told him to talk with a lawyer about it. Thus at the meeting on the 14th, the District’s Directors, the staff, and the legal counsel knew about the situation and had no response to my presentation and questions! **WHAT IS WRONG WITH THE OPERATION OF THE DISTRICT? THE PUBLIC HAS THE RIGHT AND NEED TO KNOW ALL OF THE FACTS!**

6. I also advised the Board that the information I had received about the actual delivery of water from Lake Cachuma establishes without any doubt that no farmer has ever in the past, and in the future, will ever use one drop of State Water. The District for many years has made the factual assertion that since any new farmers or the increase of acres irrigated by existing farmers will require the District to supply the farmers with very expensive State Water, there is a need for a new water charge of over \$25,000.00 dollars for each acre feet of new water. Accordingly the charging over \$325,000.00 for a new 2 inch agricultural was without any factual justification and should be rescinded at the Board meeting on the 28th.

7. I finally told the Board that all of the Public comments made by over 30 speakers at the Nonmember 8,2005 special meeting on the changing of the billing of ag water had been erased. I had per a Public Record Request asked for a copy of the audio tape made during the meeting. Mr. Ruiz in a letter dated February 17, 2006 to me stated there was no tape to copy since it had been erased after 30 days and there was no transcript of the meeting. The official minutes of the meeting merely gave the names of those who spoke at the meeting with absolutely no reference to the content of their comments. I accused the Board of a consistent practice of attempting to conceal the facts concerning the operation of the District from the public. Director Evans said the management committee of the Board at its next meeting was going to discuss the practice of the destruction of the tapes of the Board’s meetings. There is no reason why these tapes need to be destroyed. I told the Board that tapes covering several years of meetings would fit in a shoe box!

8. Mr. Bertrando also spoke to the Board and pointed out the Board's position on the new water charge for the conversions of granny units was wasteful and contrary to state and county policy to increase affordable housing. He discussed the Board's decision made at the last Board meeting in which the appeal on the charge for such a granny unit conversion was denied by the Board. He also amplified on my comments and questions concerning the amount of water from Lake Cachuma which was delivered to the District as irrigation water but not given to the local farmers.

For anyone one who wishes to review the documents upon which the above comments were made to the Directors, you should go to the website created by a group of the local farmers and concerned citizens. The URL address is www.goletawater.org.

March 19, 2006

Jack Ruskey