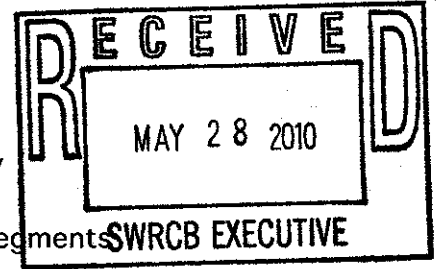


May 28, 2010

Attn: Mrs. Lisa McCann, Mr. Dominic Roques, Ms. Mary Adams and Members of the Board  
Central Coast Regional Water Quality Control Board  
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San Luis Obispo, CA 93401  
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Re: Comments for the 2010 303(d) List of Water Quality Limited Segments  
Public Water Resources in Cuyama Valley

Dear Mrs. McCann, Mr. Roques, Ms. Adams, and Members of the Board,

My name is Jennifer Lee and I am a resident and ranch-owner in Cuyama Valley. I live on State Highway 33 near the town of Ventucopa. I am a member of Cuyama Valley Conservancy a neighborhood, grassroots, 501 (c)(3), educational non-profit organization formed to protect Cuyama River and related water basin from degradation by aggregate mining and continuing overdraft and chemical pollution from agricultural uses. I am also a member of the Cuyama Valley Planning and Advisory Committee (CVPAC). The CVPAC was formed so local residents could be involved in the long-range planning and development process for Cuyama Valley and it's resources.

Water and water quality are important to me because I have a small Pistachio farm irrigated with water drawn from the Cuyama Valley Aquifer. Water depth in my well has dropped 30 feet during the past 9 years.

This letter constitutes a formal request for the Central Coast Regional Water Quality Control Board to add the Cuyama River, Cuyama Valley Watershed, and Cuyama Valley Groundwater Basin to the list of impaired waters for 2010.

The Cuyama Groundwater Basin is the most critically over-drafted basin in Santa Barbara County and serves as the sole water source for all residents and landowners in Cuyama Valley. We have no plan for water management or basin recharge in the Valley and would like to implement a long-range management and conservation plan for the Cuyama Groundwater Basin. As stakeholders and custodians of public resources in the Cuyama Valley, the Counties of San Luis Obispo, Santa Barbara, Ventura, and Kern all need to be actively involved in water management and conservation practices.

According to Santa Barbara County Water Agency data (SBCWA 1996; SBCWA 2001) water quality in the Cuyama Groundwater Basin has been deteriorating due to "constant cycling and evaporation of irrigation water in the basin". The Department of Water Resources (DWR 1998) states "hydrographs show that groundwater levels have dropped about 150 feet in the west-central part of the basin and more than 300 feet in the northeastern part of the basin in the last 40 to 50 years".

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The Cuyama Groundwater Basin is complex and water levels vary dramatically in different areas of the Valley. Groundwater levels in the southern Cuyama Valley, near Ventucopa, stand between 100 feet and 45 feet, or less, below land surface. North of Ventucopa, and in the central basin, groundwater levels drop to between 450 and 625 feet below the surface.

In 2005, Diamond Rock Sand and Gravel Mine requested a Conditional Use Permit to extract aggregate from the southern Cuyama River, just north of Ventucopa. Federal, California, and County permits are required in order to remove sand and gravel from the Cuyama River, an American Waterway, and riparian habitat. The proposed mine excavation would cut across the riverbed at a depth of 90 feet or more. Diamond Rock Mine is requesting a 30-year permit. If the Mine is permitted our groundwater and aquifer will be exposed. The Diamond Rock Mine project is currently involved in litigation under CEQA, the California Environmental Quality Act and is in the process of obtaining operating permits from the United States Army Corps of Engineers.

In January 2007, GPS Mine dug a new, un-permitted pit, immediately north of the proposed Diamond Rock Mine site, extracted aggregate sand and gravel, and exposed the groundwater. The Federal Environmental Protection Agency has temporarily prohibited GPS from extracting any additional aggregate from the pit. GPS Mine, like Diamond Rock, has not completed the reporting, review, and permitting processes required to extract sand and gravel from the Cuyama Riverbed although they have been in operation since 1987.

In the riverbed, at the proposed Diamond Rock Mine site, an underground rock wall formation retains the groundwater in the southern and upstream part of the aquifer. Groundwater levels upstream and south of the GPS and Diamond Rock Mine sites are 300 to 500 feet higher than groundwater levels north and downstream. The naturally occurring rock formation is part of an earthquake fault line that runs through the riverbed and can be seen from State Highway 33. If the rock wall and fault formation are damaged by mining operations in this section of the Cuyama River, all of the local groundwater could be lost. In addition, the Cuyama River and recharge from winter rains (an average of 7 inches per year) may not have the capacity to replenish two aggregate mines operating consecutively and extracting a combined total of 1,000,000 tons of aggregate annually.

In 2008, Fifth District Supervisor, Joseph Centeno, the County of Santa Barbara, and the US Geological Survey initiated the Cuyama Groundwater Basin Study. The Study is scheduled for completion in 2012. As the Study progresses information gathered will be available on the web. Historical well measurement data is currently available from the USGS and on their website.

Several of Cuyama Valley's largest agricultural businesses and landowners removed their wells from the Groundwater Study database. The large agri-businesses, Grimmway and Bolthouse Farms, have also recently planted several thousand additional acres of previously fallow land, in the Cuyama Valley, with row crops, which require sprinkler irrigation and cause additional evaporation of the groundwater. They are essentially mining water from the aquifer which was deposited during the last ice age and will not be recharged.

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The Groundwater Study is needed to plan a sustainable future for Cuyama Valley. We must protect water held in public trust from pollution and misuse, and insure a viable future for the Valley's agriculture. Drought and the demands of increased population have put Cuyama Valley's aquifer and watershed at risk. Our Valley will run dry if water management and conservation practices are not implemented.

Please add Cuyama River, Cuyama Groundwater Basin, and the Cuyama Valley Watershed to the 2010 impaired waters list and help our Valley initiate and implement a water management and conservation plan before our irreplaceable water is gone. Please do not allow large local landowners, agricultural, and aggregate extraction businesses to pollute, degrade, and destroy the natural infrastructure of the public water resources in Cuyama Valley.

Please help us draft stainable future plans for the use of Cuyama Valley's water resources.

Thank you for your time and consideration of the Cuyama Valley's river, aquifer, and watershed.

Sincerely,

Jennifer Lee, CPA

Member of "Cuyama Valley Planning and Advisory Committee",  
Treasurer of "Cuyama Valley Conservancy",  
Resident of Santa Barbara County for 34 years,  
Pistachio Farmer, and landowner in Cuyama Valley

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