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Rancher wants to 'move' his land

By Kirsten Flagg/Staff Writer

Nearly 5,000 acres of prime agricultural land near the Santa Maria River could be transferred from San Luis Obispo County to Santa Barbara County by the end of the year if a rancher's request is granted.

H.D. and Carol Perrett, owners of the roughly 40,000-acre Suey Ranch, petitioned San Luis Obispo County in July to relinquish jurisdiction over a piece of ranch land stretching east from Bull Canyon Road and north to Highway 166.

The petition lists the reasons for the request as simply "improved municipal services (i.e. police and fire)" and has officials on both sides of the county line scrambling to determine the proper legal and administrative procedures.

Perrett could not be reached for comment Tuesday.

Under a law likely written in the late 1800s, private property owners are allowed to request a boundary change of five miles or less if the amount of land and number of people living on that land represent less than 5 percent of the county's total.

In San Luis Obispo County, a boundary change like this has not been requested since 1990, said Ray Biering, deputy county counsel, and that request was for a minor change.

In particular, the county must determine whether the California Environmental Quality Act (CEQA), enacted in 1970, applies to boundary change requests.

That law requires any proposed project which could physically affect the environment to be analyzed for all potential impacts, but the state law does not clarify whether a boundary change is considered a "project."

"The (state law) provisions predate any CEQA. So when you look at the statute, it's absolutely silent on that issue ... Nobody ever thought of it," Biering said.

If the county decides CEQA does apply, the vagueness of the Suey Ranch petition could make any determinations difficult.

"The big question is impact to agriculture, impact to biology, water, growth inducement ..." said Chuck Stevenson, county planner. "But so far what we know is very limited. It's been very cryptic."

This is what county officials do know about the Suey Ranch property and the petition:

The 4,735-acre property is zoned for agriculture with a mix of ranch and crop production. The land is not under any Williamson Act (agricultural preserve) contract, which means its owners have the right to request a land-use change.

However, county officials said they had not heard directly that the Perretts are considering developing the land.

By "municipal services," county officials believe the petition refers to services from Santa Maria. H.D. Perrett did contact Santa Maria officials directly, letting them know he was proceeding with the boundary-change request.

"Quite frankly, I think there are some good arguments for transfer from San Luis Obispo to Santa Barbara County," said Santa Maria City Manager Tim Ness.

For instance, both county fire and law enforcement are located some distance from the area, whereas the ranch is right across the river from Santa Maria's northern boundary, Ness said.

The city has not considered yet whether it would be interested in annexing the property, Ness added.

Santa Barbara and San Luis Obispo County officials also see some possible advantages to shifting the county line.

Santa Barbara County 4th District Supervisor Joni Gray said the transfer made sense because of the location of Highway 166 and the proximity of police and fire services.

San Luis Obispo County 4th District Supervisor Katcho Achadjian speculated that any property taxes lost through the exchange might be recouped by San Luis Obispo County receiving in exchange some much-needed water for Nipomo, possibly from Santa Maria.

"I think this will open the door for us to look at the entire Highway 166 and see how we can give and take and have no net loss and no net gain," Achadjian said, referring to the way the state highway snakes in and out of the two counties along the Santa Maria River.

Whatever the potential implications of a boundary change in the area, a full CEQA investigation may not be possible because of time limits in the state law.

The San Luis Obispo County Board of Supervisors must hear the petition by Oct. 4 and cannot delay a decision by more than 45 days under the government code.

If the boundary change is approved, Santa Barbara County supervisors have 30 days to protest the decision. If they do not protest, both counties must craft an ordinance to officially transfer the property.

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