

WRAC

Water Resources Advisory Committee

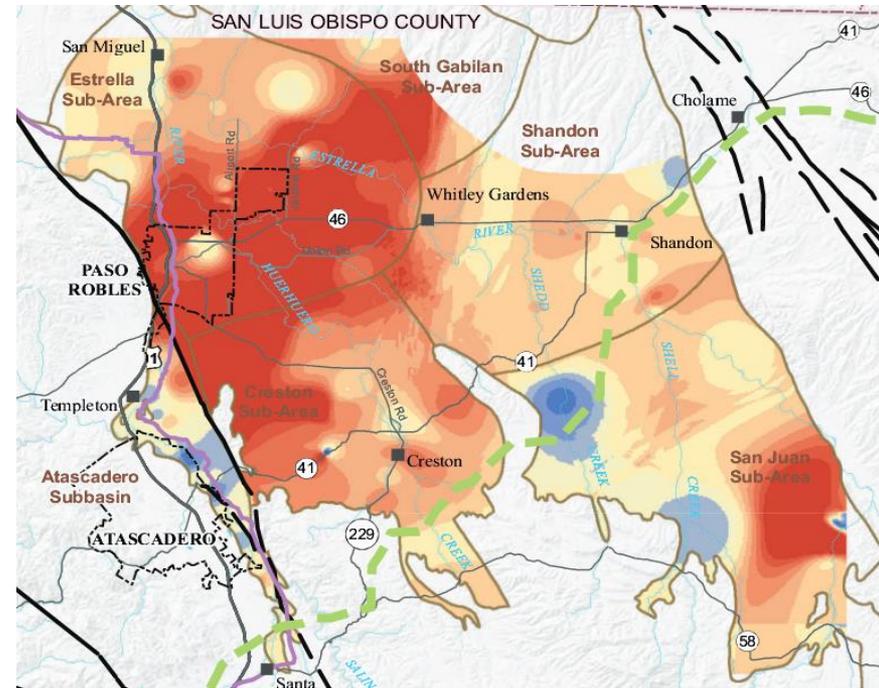
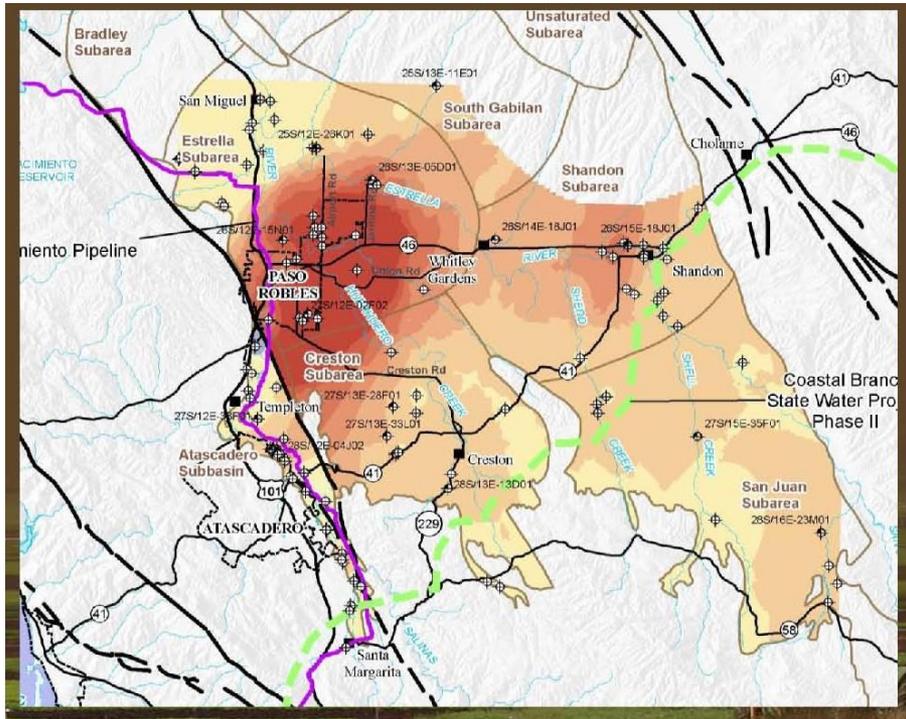
Presentation by
Steve Sinton

PRAAGS & PRO WATER EQUITY

FEB 5, 2014

v1

A little reminder of why we are working so hard to get a District.



Why are we concerned about the State?

1. Do nothing and get a State mandated plan

What are our Options?

Someone is going to act!

- State Water Resources Control Board
- SLO County Board of Supervisors
- The Courts through Adjudication
- A local groundwater management District

California Water Action Plan



“When a basin is at risk of permanent damage, and local and regional entities have not made sufficient progress to correct the problem, the state should protect the basin and its users until an adequate local program is in place.”

January 13, 2014

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Brown's budget includes plan to regulate groundwater



Comments Print

Tim Hearden

Published:
January 10, 2014 11:24AM



“SACRAMENTO — The nearly \$107 billion spending plan proposed by Gov. Jerry Brown on Jan. 9 includes \$7.8 million for groundwater management and could lead to restrictions on pumping from wells, officials say.

The plan includes 10 employees of the State Water Resources Control Board who would “act as a backstop when local or regional agencies are unable or unwilling to sustainably manage groundwater basins,” the governor’s budget summary explains.”

Choices for the North County

1. Do nothing and get a State mandated plan
2. Do nothing and get a County mandated plan

ORDINANCE NO. 3246

AN URGENCY ORDINANCE OF THE COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA ESTABLISHING A MORATORIUM ON NEW OR EXPANDED IRRIGATED CROP PRODUCTION, CONVERSION OF DRY FARM OR GRAZING LAND TO NEW OR EXPANDED IRRIGATED CROP PRODUCTION AND NEW DEVELOPMENT DEPENDENT UPON A WELL IN THE PASO ROBLES GROUNDWATER BASIN UNLESS SUCH USES OFFSET THEIR TOTAL PROJECTED WATER USE, INCLUDING CERTAIN EXEMPTIONS

Section 1. Findings and Declarations.

The Board of Supervisors makes the following findings in support of the enactment of this urgency ordinance in the Paso Robles Groundwater Basin:

- A. This Ordinance is exempt from the California Environmental Quality Act (Public Resources Code §21000, et seq.) ("CEQA") because it can be seen with certainty that there is no possibility that it will have a significant effect on the environment as it includes regulations to protect the Paso Robles Groundwater Basin from further depletion (CEQA Guidelines §15061(b)(3)); because it consists of regulations and

Choices for the North County

1. Do nothing and get a State mandated plan
2. Do nothing and get a County mandated plan
3. Pursue legal remedies via current or new lawsuits

Adjudication

A judge from somewhere in the State will . . .

- Determine the nature & extent of your water right
- Tell you how much water you are allotted
- Appoint a “Water Master” to administer the Basin

And you will:

- Spend millions of dollars in attorney fees
- Wait for years, maybe even a decade to get a decision
- Have no more water available than you did when it started

Choices for the North County

1. Do nothing and get a State mandated plan
2. Do nothing and get a County mandated plan
3. Pursue legal remedies via current or new lawsuits
4. Create a locally controlled management structure to balance supply and demand in the basin

Water District

A locally managed governance structure to oversee the affairs of the basin

Proven method for decades in California

Allow residents and landowners to pursue their common interests



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JANUARY 5, 2014

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EDITORIAL OPINION OF THE TRIBUNE

Water district wish takes No. 1 spot on top 10 list

Christmas is over, but that's not going to stop us from compiling a wish list for 2014, addressed not to Santa, but to local leaders in government, business, education, nonprofit agencies and other fields

From sewers to safety, hopes for the county run the gamut

cos. reach an absolutely final decision on where to build a new sewer — and it's not in a flood plain or a

cies that will actually make that happen. Yes, we've asked for this before, with middling re-

in-law's arrest back in 1989. And speaking of campaigns, we want to see the ridiculous recall effort targeting Morro Bay Mayor Jamie Irons go away.

3. The 5Cities Homeless Coalition secures a site for a community services cen-

Agreement

PRAAGS and Pro Water Equity agreed to a governance structure for the proposed Paso Robles Groundwater Basin that provides representation to landowners of all sizes, including agriculturists and rural residents.



News > Local News

Blue Ribbon panel endorses Paso Robles groundwater management plan

BY DAVID SNEED

dsneed@thetribunenews.com January 17, 2014



Efforts to establish a water management district for the troubled Paso Robles groundwater basin received a key endorsement Thursday by a panel charged with advising the county on management of the basin.

The Blue Ribbon Committee Paso Robles Groundwater Basin Management Plan voted unanimously to endorse plans by two North County water groups to form a water district for the basin that is designed to give equal governance authority to vineyard owners and rural residents.

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EDITORIAL OPINION OF THE TRIBUNE

Basin management plan deserves leaders' support

They started on opposite sides of the fence, but now two groups of North County

landowners — one representing small property owners and the other large growers — have compromised on a plan for a management district for the Paso Robles groundwater basin.

That's a significant achievement, and we urge the Board of Supervisors to support their plan.

The district would be funded by fees levied on property. It would have the power to manage and balance the basin, which could include regulating pumping and metering wells; offering incentives for water conservation efforts; and importing supplemental water.

While there's been general agreement among basin property owners that some form of district is necessary,

Water district could become reality, with Achadjian's help

there's been a split over how the board should be elected. Some have favored the one-person-one-vote approach, while others say the large property owners — who will be paying more to finance district operations — should have more of a voice in running the district.

We believe the two groups — Pro Water Equity, which represents the small landowners, and the Paso Robles Agricultural Alliance for Groundwater Solutions — found an elegant way to split the difference. In a nutshell, they're proposing that some directors be elected by popular vote and others by property owners.

Under the plan — which still requires several steps for approval, including passage of

special state legislation — there would be nine seats on the water district's board of directors. Three would be elected by registered voters living within the district. (The district would take in the rural areas of the basin only, which excludes the cities of Paso Robles and Atascadero and the communities of Shandon, Templeton and San Miguel.)

The remaining six directors would be elected by property owners: Two by small landowners who own less than 40 acres; two by medium-sized landowners with 40 and 400 acres; and two by the largest landholders who own 400 acres or more.

Leaders from Pro Water Equity and PRAAGS believe this makeup will prevent any

one group from dominating the board.

Not everyone agrees; a few members of Pro Water Equity have resigned from the group because they don't believe that all residents of the basin will be adequately represented.

Ideally, everyone would have walked away from the table satisfied, but that's never going to happen, not with this plan or any other.

This particular solution is one that a majority on both sides appear to support, and may indeed be the only way to move the district forward.

Given the critical need to put a long-term basin management plan in place, we believe this is a workable solution. We strongly urge the Board of Supervisors to sign off on the plan, and Assemblyman Katcho Achadjian to move it forward by sponsoring legislation needed to create the district.

The Agreement

9 member Board of Directors

Two Categories of Directors

- Directors elected “At Large” by Registered Voters
- Directors elected by Land Owners
- All Directors have the same powers

Directors “At Large”

- 3 Directors elected “At Large” by registered voters within the proposed District
- Vote will be one vote per registered voter

Directors – Landowners

- 6 Directors elected according to Land Ownership
- Vote will be based on acres owned
- Landowners will be split into 1 of 3 classes
- Each Class will elect 2 directors
 - **Small** – Landowners of less than 40 acres
 - **Medium** – Landowners of 40 and less than 400 acres
 - **Large** – Landowners of 400+ acres

Who is in which category? *

	<u>People</u>	<u>Acres</u>
0 to 39 acres:	4,272	32,992
40 to 399 acres	618	72,921
400 + acres	92	184,814

* To be adjusted slightly when the new map is completed.

Eligibility

- **To vote:**

- **Registered Voters** – All registered voters registered within the boundaries of the Water District will cast votes on a basis of one vote per registered voter.
- **Landowner Voters** – Any person or entity owning land within the boundaries of the Water District are eligible to vote. Votes shall be cast by one of the owners of the deed, a current trustee if the land is owned by a trust or a designated officer if the land is owned by a corporation.

Eligibility (continued)

- To run as a Director of the District:
 - The directors must be landowners within the district and must live within the district boundaries or within two miles of those boundaries or within the City of Paso Robles or the service areas of the Atascadero Mutual Water Company, Templeton CSD, San Miguel CSD or Shandon CSA-16
 - Each director position will have a separate slate of candidates

The Agreement

- The voting structure will be used for all future elections of the Board of Directors
- The formation vote will be conducted per Water Code with landowners voting based on acreage
- The proposed district would have the ability to enact enhanced AB 3030 powers (Water Code Sections 10750-10755.4)
- The intent of the district will be to manage and balance the basin

What can a water district do for *the basin*?

It can:

- Contract for water
- Build distribution systems
- Carry out engineering and technical reports
- Sell bonds for projects (with voter approval)
- Work with local, state and federal agencies (seat at the table!)
- Enact conservation measures
- Establish public education programs (residential and agricultural)
- Assess landowners according to zones of benefit (Prop. 218)

No export from basin

It has never been suggested, nor is it logical, to sell local water to other regions when it is so desperately needed here.

However, to ease the recently expressed public concern, language has been added to the petition:

- *The District shall not export water from the Paso Robles Groundwater Basin.*

What is Prop. 218

Proposition 218 is written in to the California Constitution.

It says:

- *Before an assessment can be levied, there will be a vote of the affected property owners. Votes are weighted in proportion to the amount of assessments the property owner would pay.*
- *Those who derive the most benefit pay the most.*

Moving Forward

- New, revised petition will be refiled in coming weeks for two reasons:
 - District lines have been slightly revised based on PRAAGS/PRO Water negotiations
 - Wording in the LAFCO petition has been modified to match the language in Special Legislation
- PRAAGS and PRO Water are jointly working on the initial funding plan for the district with the assistance of the Flood Control and Water Conservation District staff

Moving Forward

- **Special legislation** is required because of the unique governance structure
- We will seek support through the county's legislative platform
- Development of the district will still require working with SLO County **LAFCO** and special legislation
 - The LAFCO process will offer additional opportunities for the public to weigh in
- A **petition** will be circulated to obtain signatures for holding an **election to form** the Paso Robles Basin Water District

If the petition is approved, we then vote three times:

1. Vote for or against the formation of the district

This would be one vote/acre

2. Vote for directors of the district

This would be according to the PRAAGS-PWE agreement

You may vote as a registered voter and as a landowner

3. Vote for funding the operations of the District

This would cost approximately \$60/residence up to 4 acres

Irrigated land would pay about \$15/acre

Dry land would pay about \$.50/acre

QUESTIONS or COMMENTS?

Learn More At:

PRAAGS.ORG

PROWATEREQUITY.ORG