



SAN LUIS OBISPO COUNTY FARM BUREAU

3599 SUELDO STREET, SUITE 100 ♦ SAN LUIS OBISPO, CA 93401

PHONE (805) 543-3654 ♦ FAX (805) 543-3697 ♦ www.slofarmbureau.org

MEMO

Date: June 4, 2014

To: San Luis Obispo County Water Resources Advisory Committee

From: George Kendall and Joy Fitzhugh
San Luis Obispo Co. Farm Bureau

Re: Item #6, Resource Management System Update

Representing Farm Bureau and the agricultural community we are asking that you review the following concerns and comments and make the requested changes.

Page 38, LOS III defined: In the first bullet under staff concerns the changing of LOS III from “resource capacity met or exceeded” to “*deficiency*” stating that it does not “adequately describe the LOC III situation” reflects the concerns that Farm Bureau expressed at the April meeting.

Page 45, Level of Severity III: Reinstate the next to the last paragraph which starts with “Level of Severity III occurs...” If not the whole paragraph, we ask that at least the first two sentences be reinstated.

Page 47, Resource Inventories 6: The qualifiers feasible and realistically in the description of capital projects or other programs is very necessary. We all know that too often government does not look at the feasibility or reality of projects or programs. (Consider the \$6,000 hammer story of the 1980s) Feasibly and realistically is a reminder to our government to do what is right.

Page 49, LOS III: Once again, the definition “*deficiency*” has been inserted and the definition of “met or exceeded” has been struck. Reinstate “**Resource capacity met or exceeded**”. The term “deficiency” is extremely broad in the use on page 49. This can be determined that any water level below the maximum water basin/watershed capacity would classify as a deficiency and could thus be deemed a LOS III.

Page 50, 3, b: Thank you for striking deficiencies in this section. In this case not only is deficiency too broad and undefined a definition, the use of the word is inappropriate because this list is not looking at the what caused the LOS, rather the classification of the LOS.

Page 54, Top of the Page, Header: Replace “*Deficiency*” with the header, Resource Capacity Met or Exceeded.

Page 54, First Paragraph: Strike “*be deficient*” and rewrite, “LOS III is established when the capacity of a resource has been determined to have been met or exceeded. In the next paragraph,

“deficiency” is actually appropriate as you are not trying to be accurate in stating what defines LOS III

Page 57, LOS II, 1: Once again, as in April, we ask that the word *“use”* be struck and “depletion” be reinstated.

Page 58, LOS III, 2: And again we ask that the word *“use”* be struck and “depletion” be reinstated. As we explained in April, the restriction on the use and the ability to “halt further resource use” has the capability to completely shut down a farming operation, not because that was the intent of the wording, but through the interpretation of the wording. If an agricultural operation has to “halt” the use of their water, it could destroy the landowner/operator. It would seem that this type of County action could expose the County to major lawsuits.

We hope you will consider the seriousness of these comments and take action to correct the terminology in the RMS Update.