

Date: January 30, 2-14  
To: My former Colleagues on WRAC  
From: Della Barrett  
Re: Paso Basin Groundwater Management District Current Proposal  
Consideration for WRAC meeting of February 5, 2014

I'm writing this because I understand the WRAC will consider whether or not to endorse the current proposal for a Paso Robles Groundwater Management District, and I won't be able to attend the meeting in person.

After more than 20 years of over-pumping and steadily declining water levels during both good and bad rain years, it's clear the basin needs some form of management to avoid further decline and degradation. However, I would argue there are serious flaws in the current proposal.

The LAFCO Director has advised that when you form a new government agency, you really need to get it right because it will be around for a long time. In spite of that, PWE/PRAAGS is urging immediate action by the Supervisors because of a deadline in the state legislature. Nothing that is rushed can be well considered. While there's been a lot of praise for the PWE/PRAAGS "compromise" there's been very little public factual analysis of how the proposal would actually work.

As you continue your discussion of the proposed Groundwater Management District, here are some facts I want to be sure you know. Please feel free to confirm the facts I present with whoever is presenting the proposal to you.

One of the things that gives me pause is that the election to decide whether or not a district will be created is a simple majority yes/no vote that will be weighted based on acres owned by the voter. Over 50% of the acreage within the current boundaries is owned by fewer than 35 entities. Those 35 could decide whether or not a water district will be formed -- regardless of the votes of the more than 4,800 other owners of land within the proposed boundaries. That's less than one percent of the landowners making the decision. PWE/PRAAGS responds that the acreage-based vote is part of the state Water Code. However, since the proposal requires legislative modification of the Water Code in order to accommodate the hybrid board structure, it seems to me the Legislature could also modify the formation vote.

The second problem is that for the six Directors who are elected in acreage categories, the election is complicated, confusing and, to my mind, unfair. As an example, in the Under-40-Acres Owned category, the votes of eight owners of 5 acres each can be cancelled out by one voter who owns 40 acres. That same operating principal applies to the other two categories based on acres owned. PWE/PRAAGS only talks about the categories, and not about the mechanics of how the Directors will be elected. There is no reason why the election of all the Directors could not be done on a one-voter-one-vote basis.

The third issue is that the nine member board will have six Directors elected based on acres owned, and three Directors elected based on one-voter-one-vote. The acreage-based Directors will always have a majority.

PRAAGS has repeatedly, publicly, and clearly stated that they will only support a Water District in which the large landowners have control. They have said it's their money that would pay the biggest costs, and they don't want rural residents having the power to veto big projects.

Votes on projects such as importing water will always be weighted based on acreage, and that seems fair because both the benefit and the cost will be greater for the bigger acreage. But if the vote on whether or not to create the Water District and the election of the District Directors are not one-man-one-vote for all the registered voters residing within the proposed boundaries, the basin will always be "managed" by the largest landowners, or those with the most expensive land holdings.