



Aug 16 Agenda - Paso Robles Groundwater Basin

David Broadwater

to:

fmecham, darnold, bgibson, ahill

08/03/2013 11:29 PM

Cc:

cr\_board\_clerk

Hide Details

From: David Broadwater <csi@thegrid.net>

To: fmecham@co.slo.ca.us, darnold@co.slo.ca.us, bgibson@co.slo.ca.us, ahill@co.slo.ca.us

Cc: cr\_board\_clerk@co.slo.ca.us

## SLO County Board of Supervisors

re: 8-6-13 Agenda Item #27 - Urgency Ordinance / Paso Robles Groundwater Basin

Of all the proposals placed before you regarding this emergency, there is one you must reject categorically, as un-American, anti-democratic, destructive and inefficient - a water district in which votes are apportioned based on the amount of acreage a property owner possesses. As you know, this is the arrangement proposed by PRAAGS, an association composed primarily of owners of vast amounts of acreage, which would grant them overwhelming control over decision-making to the detriment of individual residential property owners.

Alternative water district arrangements are available, including those based on one-person/one-vote and one-property-owner/one-vote. Research is available indicating that such arrangements are more conservative of water resources and more economically efficient. These arrangements are certainly much more democratic than the PRAAGS proposal. If you consent to the PRAAGS water district proposal, basing votes on acreage ownership, you will be correctly identified as selling out the interests of residents to economic and ecological predators, and abandoning the majority of your constituents to ruin and subjugation.

In the event you decide to consider the PRAAGS water district proposal, you should direct county counsel and the planning department to conduct extensive comparative research into the various arrangements available, including one-person/one-vote, one-property-owner/one-vote and acreage-ownership-vote methods. Only after such analysis can you

Agenda Item Number: 27 Meeting Date: August 6, 2013

Presented By: David Broadwater

Rec'd prior to the meeting & posted on: August 5, 2013

render an adequate decision.

Based on the information currently available to you and the public, you must reject the PRAAGS water district proposal as a threat to equitable management of the Paso Robles Groundwater Basin.

David Broadwater  
Atascadero



**Fw: Implementation of Urgency Ordinances**  
**Cytasha Campa** to: cr\_board\_clerk Clerk Recorder

08/05/2013 08:11 AM

Kindest regards,

## Cytasha Campa

Board Secretary

Board of Supervisors

San Luis Obispo County

805-781-4335

----- Forwarded by Cytasha Campa/BOS/COSLO on 08/05/2013 08:11 AM -----

From: "Kim Lachance" <luckydanes@sbcglobal.net>  
To: <darnold@co.slo.ca.us>, <fmecham@co.slo.ca.us>, <ahill@co.slo.ca.us>, <bgibson@co.slo.ca.us>  
Cc: <ccampa@co.slo.ca.us>  
Date: 08/04/2013 08:18 PM  
Subject: Implementation of Urgency Ordinances

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Dear Supervisors and Clerk of the County Board of Supervisors,

I am begging you please to pass the most stringent restrictions possible to immediately address the shortage of water resources in the North County. I'm also requesting that you also research the means for additional water to be brought to our county in the future. We can no longer postpone action. I've been attending water conservation meetings for the past 7 years. To date, nothing has been enacted or done - only talk and rhetoric time after time, year after year. The powers that be have researched this situation to death and we the rural residents, are now dying for lack of water.

Mr. Supervisor Mecham, you and I personally had this discussion almost ten years ago. It was the first time I heard the words that you stated "Wars have been fought over water" You shared your concerns at that time of the limits of the Paso Robles Aquifer. During these years since speaking with you, I felt secure in knowing, and trusting, your position in providing for the safety of our water supply for years to come. Supervisor Mecham, why then are we facing such dire conditions now? This is not something that has just 'cropped up'.

I have lived on my rural residential 10 acre property for almost 30 years. I have photographs of the South East Paso/ Creston area taken from my perch on a hill of sweeping views of this area where there wasn't a green spot to be seen as far as the eye can see (yes, I have that unobstructed view to see that distance) The only spot that was irrigated was the Bordenaro property where yes, he had, what today would be considered small amount of acreage irrigated for alfalfa off of Camp Eight Rd. A very small operation. Aside from that all of the rest of the land was barren. Dry crop oat hay, barley, almonds, range land and horse property which wasn't irrigated either. Now almost 30 years later the scene is nothing like it was. I am surrounded by and can see thousands of acres of irrigated vineyards. I have seen Gallo Vineyard on numerous occasions utilize overhead rainbird sprinklers in the mid day. (Please don't let anyone tell you these practices are only used for frost protection. We've yet to have the need for frost protection in the middle of the afternoon in the month of July). Just a short distance from Gallo is a new 700 acre vineyard where lakes have been dug that are slated to hoard 66 million gallons of water.

Agenda Item Number: 27  
Meeting Date: August 6, 2013  
Presented By: Kim, Kelley and Michele Lachance  
Rec'd prior to the meeting & posted on: August 5, 2013

Really? Is this fair? The one with the most money wins? This is my family home, it's losing it's value with each well that goes dry. I had counted on this property that I worked some times two and three jobs at a time to pay for, to be my legacy to my daughters Kelley and Michele.

We can't even say that most of these irrigated crops bring dollars back to our community. Most grapes, after being irrigated with Paso Aquifer water, are hauled off in trucks to be processed in other areas. In comparison to what we are losing, the gains if any, are minute.

Please, for my family, and the thousands of other rural residential families, make us your first consideration - not your last.

The only upside to this situation is that I pray much more frequently now. Each day when I turn on my tap and a stream of water comes from that faucet, I say a prayer of gratitude.

I trust you to make the hard decision to do the 'right thing'.

Since I'm still employed and working to pay my mortgage and taxes, I will not be in attendance at the public meeting. But know that I will be there in spirit and prayer that you move to protect my family and our right to our most precious resource - water.

Best Regards,  
Kim, Kelley and Michele Lachance



**Fw: Aug. 6, 2013 BoS hearing item #27**

**Cytasha Campa** to: BOS\_Legislative Assistants, cr\_board\_clerk  
Clerk Recorder

08/05/2013 08:12 AM

Kindest regards,

## Cytasha Campa

Board Secretary

Board of Supervisors

San Luis Obispo County

805-781-4335

----- Forwarded by Cytasha Campa/BOS/COSLO on 08/05/2013 08:12 AM -----

From: Sally K Simonelli <sparrowranch@gmail.com>  
To: ccampa@co.slo.ca.us  
Date: 08/04/2013 07:43 PM  
Subject: Aug. 6, 2013 BoS hearing item #27

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I live on Almond Drive in Templeton. I am very concerned with the issue of the wells around us going dry, and we cannot afford to live here if we have to buy water.

I think that it is only fair to allocate well "votes" according to the number of owners per property, vs. the amount of land that is owned. I also think we desperately need emergency measures put in place to help stop the new vineyards going in, along with financial help for the people who are having to drill new wells just so they can still live on their own property.

S.K. Simonelli



**Fw: August 6, 2013 BoS meeting. Agenda item #27**  
**Cytasha Campa** to: cr\_board\_clerk Clerk Recorder

08/05/2013 08:13 AM

Kindest regards,

## Cytasha Campa

Board Secretary

Board of Supervisors

San Luis Obispo County

805-781-4335

----- Forwarded by Cytasha Campa/BOS/COSLO on 08/05/2013 08:13 AM -----

From: Ellen Frost <elfnotes@hotmail.com>  
To: "darnold@co.slo.ca.us" <darnold@co.slo.ca.us>, "fmecham@co.slo.ca.us" <fmecham@co.slo.ca.us>, "ahill@co.slo.ca.us" <ahill@co.slo.ca.us>, "bgibson@co.slo.ca.us" <bgibson@co.slo.ca.us>, "ccampa@co.slo.ca.us" <ccampa@co.slo.ca.us>  
Cc: "elainehagen@att.net" <elainehagen@att.net>, 01 Bill 01 Frost <bill\_frost@sbcglobal.net>  
Date: 08/04/2013 10:24 AM  
Subject: August 6, 2013 BoS meeting. Agenda item #27

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Dear Supervisors and Board Secretary,

I am unable to attend the August 6th Supervisors' meeting but I am vitally concerned with item 27. I urge you not to postpone taking some action to protect our water basin. As a resident who depends on well water to continue living in my home, I am frightened by the continuing profligate use of water by all parties. My single residence literally uses a "drop in the bucket" compared to the thousands of acres of new vineyards or the large multi-use developments being proposed, but we all need to join together to conserve what water is left in our underground basin. I am already doing what I can to save water, because the alternative would be losing my home but more is needed to regulate and/or delay huge water-using developments.

I am concerned by what I hear from neighbors and friends and I think there may be a deliberate campaign of misinformation threatening immediate well monitoring and restricted water usage. As Supervisors and community leaders you need to actively reassure the public that you are not poised to take Draconian action to keep farmers from watering their crops or single residences from being built. But it would be wrong to delay taking any action at all. Please consider temporary measures to evaluate new projects involving multiple deep wells and holding basins. All parties could benefit from a county water district to protect our water reserves, but the representation suggested by PRAAGS, based on land ownership, benefits only the huge business interests and ignores the real plight of single residents and small vineyards with limited financial resources and water.

Agenda Item Number: 27  
Meeting Date: August 6, 2013  
Presented By: Ellen Frost  
Rec'd prior to the meeting & posted on: August 5, 2013

We elected our Supervisors to be leaders and activists in protecting the interests of all county constituents. Taking no action at this point will send a message to residents that our county government is not willing to show leadership on this problem. If you take temporary action to develop guidelines, the regulations can be modified and improved as needed. If you delay, you will not be helping at all and you will be sending an implicit message to business interests to develop everything NOW before there is a water district or other controlling measures.

Please don't turn your backs on us.

*Ellen Frost*

Rancho Los Venados



**Fw: August 6, 2013 BoS hearing item #27**  
**Cytasha Campa** to: cr\_board\_clerk Clerk Recorder

08/05/2013 08:19 AM

Kindest regards,

## Cytasha Campa

Board Secretary

Board of Supervisors

San Luis Obispo County

805-781-4335

----- Forwarded by Cytasha Campa/BOS/COSLO on 08/05/2013 08:19 AM -----

From: Ellen Frost <elfnotes@hotmail.com>  
To: "darnold@co.slo.ca.us" <darnold@co.slo.ca.us>, "fmecham@co.slo.ca.us" <fmecham@co.slo.ca.us>, "ahill@co.slo.ca.us" <ahill@co.slo.ca.us>, "bgibson@co.slo.ca.us" <bgibson@co.slo.ca.us>, "ccampa@co.slo.ca.us" <ccampa@co.slo.ca.us>  
Date: 08/04/2013 09:52 AM  
Subject: August 6, 2013 BoS hearing item #27

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Dear Supervisors and Board Secretary,

Please read the letter below in reference to item 27. I urge you to move forward on a temporary emergency measure to limit new projects requiring high water use. Delaying any action does not serve your constituents and temporary measures can be corrected if they are not effective.

This letter is in response to Tribune Viewpoint, July 21, 2013 by Mr. Jerry Reaugh, and contains the text not modified by the Tribune in the published response, as well as the text redacted to conform to the Tribune's limitation of 200 words per article.

Mr. Reaugh effectively summarizes many of the problems facing the Paso Robles Groundwater Basin,

and proposes, per the current consensus, that some sort of a governing water district is necessary. However, his statement that PRAAGS has determined a California Water District is best suited to meet the needs of all basin users is both self-serving and offensive to the over 6,000 rural residences in the basin which are entirely dependent upon individual water wells. If the basic structure of a California Water District requires, as Mr. Reaugh states, 'voting proportional to landownership', then this construct is inherently unsuited to the current population distribution within the Paso Robles Groundwater Basin.

The California Water District appears to be an archaic concept which is based on a strictly

Agenda Item Number: 27  
Meeting Date: August 6, 2013  
Presented By: William Frost  
Rec'd prior to the meeting & posted on: August 5, 2013

agricultural economy which, since the 1940's, has been obsoleted by the 'home in the country' reality.

In the Basin, the typical rural residence is situated on a two to ten acre parcel with either one or two dwellings per parcel; each parcel or residence must be provided fair representation according to Water Code 106 which prioritizes domestic use of water. One possible solution to effect the priority would be to initially allocate available water on a per-parcel or per-dwelling basis and, once the basic allocation is satisfied, the remainder is then available for agriculture or other uses. Using the accepted value of three homes per acre-foot per year, these approximately 6000 rural residences would utilize about 2000 acre-feet per year, a small fraction of the nominal yield of 97,000 acre-feet expected from the Basin.

A genuinely balanced approach which satisfies the needs of all parties, within resource constraints, should be the primary goal of water allocation within the Basin. Clearly, some sort of a Water District, legislated in California, is indicated, but it may not be a California Water District per Mr. Reaugh's definition.

In the distant future, water will probably be recognized as a utility and metered like electricity and gas.

William M. Frost

Paso Robles



**Fw: Water Crisis in PR Groundwater Basin - Rowland letter**  
**Cytasha Campa** to: cr\_board\_clerk Clerk Recorder

08/05/2013 08:22 AM

Kindest regards,

## Cytasha Campa

Board Secretary

Board of Supervisors

San Luis Obispo County

805-781-4335

----- Forwarded by Cytasha Campa/BOS/COSLO on 08/05/2013 08:21 AM -----

From: Carol Rowland <crowland@wildblue.net>  
To: Frank Mecham <fmecham@co.slo.ca.us>, Adam Hill <ahill@co.slo.ca.us>, Bruce Gibson <bgibson@co.slo.ca.us>, Debbie Arnold <darnold@co.slo.ca.us>, BOS secretary <ccampa@co.slo.ca.us>  
Date: 08/02/2013 08:02 PM  
Subject: Fwd: Water Crisis in PR Groundwater Basin - Rowland letter

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Begin forwarded message:

**From:** Carol Rowland <[crowland@onemain.com](mailto:crowland@onemain.com)>  
**Date:** August 2, 2013 7:41:24 PM PDT  
**To:** [BoardOfSups@co.slo.ca.us](mailto:BoardOfSups@co.slo.ca.us)  
**Subject:** **Water Crisis in PR Groundwater Basin - Rowland letter**

To the Board of Supervisors,

RE the Water Crisis in the Paso Robles Groundwater Basin

Dated 8/2/13

My husband and I live in the Creston area on O'Donovan road.

I wrote to the Board of Supervisors on 5/7/13 when we first noticed our well was recovering very slowly. Here

are some well statistics, not included in the previous letter:

Our well was 90' when the house was purchased in 1974.

At that time it tested at 10 gal/minute.

In 1993 the static water level was at 38'.

In 2002 the static water level was at 78'

Today our pump is set at close to 80'

Through all the drought years since 1974, our well has been sufficient, until this year.

At this time a lot of grapes have been planted between us and the town of Creston.

Also another large area is being prepared for even more grapes.

In addition, there is a horse ranch between us and Creston, and when I drive by in

the daytime, I see overhead sprinklers going.

Following are some thoughts based on my letter in May:

In May of this year, we became alarmed when we saw that our well was very slow to recover the water we used in a day.

It took about 6 hours to replace the water in the tank. The time between the pump turning off and turning back on was 10 min, and when it ran, it only ran for 75 seconds, with a very slow inflow. This indicated that the only water we were getting was water that was slowly seeping into the well.

We don't know if we will have enough water to make it through the summer.

My husband is in his 80's and I am in my 70s.

Our only real asset is our home here in Creston. We are living on a modest fixed income. We are paying off a mortgage.

We used to have a pond that we could pump into every day in the summer to keep it fresh and full, a lovely lawn, and plenty of water for our house needs and gardens. We haven't had the pond for several years now, and we have let our lawns die. We also let most of our landscaping die and have only a very small garden area. We have cut back in our water use for the house. Still, our water recovery time is very slow.

This has created a crisis for us and puts us in a bind financially.

We cannot live here without water.

Hauling water is very expensive - and not necessarily potable.

We cannot count on selling our home, because who would buy it without a good well?

To stay here OR to sell, we would need a new well.

We would have to take out a loan to drill a new well.

Then we would be paying off a mortgage as well as a loan for the new well.

We are not pumping thousands of gallons out of the aquifer to grow grapes or sustain a horse ranch. It seems unjust that with all our conservation measures, we should be made to pay for a problem we did not create. With all the money the vineyards are bringing in for the county, will any of it be used to pay for those of us who now need to drill a new well?

Our fervent hope is that in dealing with the water crisis, you remember the long-term residents and consider our needs.

Please put some emergency measures in place while there is still time. It is already too late for some.

Sincerely,

Harold and Carol Rowland

O'Donovan Road

Creston, CA 93432

Please do not release our email address.



**Fw: Please support Urgency Ordinances Now !**  
**Cytasha Campa** to: cr\_board\_clerk Clerk Recorder

08/05/2013 08:20 AM

Kindest regards,

# Cytasha Campa

Board Secretary

Board of Supervisors

San Luis Obispo County

805-781-4335

----- Forwarded by Cytasha Campa/BOS/COSLO on 08/05/2013 08:20 AM -----

**From:** Carol Rowland <crowland@wildblue.net>  
**To:** BOS secretary <ccampa@co.slo.ca.us>, Board of Supervisors <BoardOfSups@co.slo.ca.us>, Frank Mecham Mecham <fmecham@co.slo.ca.us>, Adam Hill <ahill@co.slo.ca.us>, Bruce Gibson Gibson <bgibson@co.slo.ca.us>, Debbie Arnold Arnold <darnold@co.slo.ca.us>  
**Date:** 08/04/2013 07:15 AM  
**Subject:** Please support Urgency Ordinances Now!

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Please excuse my sending this letter again, but I want to add the sentence below:

Updated 8/4/13 to include this sentence. Re #27 of the August 6th Board of Supervisors meeting -  
Please support Urgency Ordinances Now!

**From:** Carol Rowland <[crowland@onemain.com](mailto:crowland@onemain.com)>

**Date:** August 2, 2013 7:41:24 PM PDT

**To:** [BoardOfSups@co.slo.ca.us](mailto:BoardOfSups@co.slo.ca.us)

**Subject:** Water Crisis in PR Groundwater Basin - Rowland letter

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Sincerely,  
Harold and Carol Rowland

O'Donovan Road  
Creston, CA 93432  
Please do not release our email address.



**Fw: August 6, 2013 BoS hearing item #27**  
**Cytasha Campa** to: cr\_board\_clerk Clerk Recorder

08/05/2013 08:22 AM

Kindest regards,

## Cytasha Campa

Board Secretary

Board of Supervisors

San Luis Obispo County

805-781-4335

----- Forwarded by Cytasha Campa/BOS/COSLO on 08/05/2013 08:22 AM -----

From: Jolesnanik@aol.com  
To: darnold@co.slo.ca.us, fmecham@co.slo.ca.us, ahill@co.slo.ca.us, bgibson@co.slo.ca.us, ccampa@co.slo.ca.us  
Date: 08/02/2013 05:12 PM  
Subject: August 6, 2013 BoS hearing item #27

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My name is Jim Olesnanik. I live in rural Templeton off South El Pomar, just south of El Pomar. About five years ago four of my neighbors and I had to replace our wells because our existing wells went dry. I had only lived here about five years at the time, coming from the Bay Area, and thought our problems with water were an unfortunate circumstance of living in the country. I was wrong.

What I know now is that the county has been monitoring the water situation in the Paso Water Basin for years, with reports that the county had knowledge that the basin water levels, at least in some parts, was dropping as early as 1981. The county and the BoS were obviously aware of the significant role the Paso Water Basin played in the growth and stability of the area. I'm sure that is why they were monitoring it. But monitoring the water levels serves no purpose unless there exists a plan of action in the event the water levels reach a certain specified and predetermined level. No such "trigger points" were ever established.....you simply kept monitoring.

As Supervisor Mecham pointed out in his article, published in the Tribune on August 1, 2013, the county has grown significantly in population and agriculture over the years. With that growth comes a significant growth in the use of the water in the basin. But you simply kept monitoring.

Mr. Mecham addressed the 2003 Paso Robles Groundwater Basin Study, in which he was a participant. That study concluded that the key to future water supplies for Paso Robles was the Nacimiento Water Project. While the pipe has been laid.....the project has yet to be completed. Additionally, that study also outlined the areas of concern in the basin...."Estrella and El Pomar". Still you just kept on monitoring.

In 2006 the county initiated a feasibility study for water banking.....but it went nowhere!! But you kept monitoring.

While construction projects were approved and agriculture interests were catered to you simply monitored the situation.

In case it is not obvious, I don't blame the construction industry nor the vineyards or any other business or enterprise desirous of growth.....I blame you, and those who sat in those seats before you, for the situation we presently find ourselves in. Whether you were asleep at the wheel or had another agenda all together, I can't speculate. What I can say is that you had all the records that indicated that we were headed into, as Mr. Mecham put it, "a perfect storm". But it is a perfect storm that you created. There shouldn't be one rural home owner that should have to pay for a new well. You knew the water levels (100 feet in the last 10 years) and you did nothing (and are still doing nothing) to abate it.

The appearance to me is that all of you are sitting back waiting for someone else to take the lead and force a resolution in one direction or another. In that manner you don't have to take any responsibility for the direction this matter takes us.

I may be right on the money with my comments and I may have some wrong, but this is how I feel and what I interpret from the information I have reviewed. In any case I ask you please, don't take us any further down this path of destruction. Join together and present a unified front. Put the political posturing aside and do what is right for the people of the county. Agriculture is going to continue to do well in the county. We simply need their cooperation to slow the drain on the basin until more permanent fixes can be put in place.

Thank you,

Jim Olesnanik



**Fw: Aug 6 Supervisors Meeting Comment**

**Board of Supervisors** to: BOS\_Legislative Assistants,  
cr\_board\_clerk Clerk Recorder

08/05/2013 08:30 AM

Sent by: **Cytasha Campa**

----- Forwarded by Cytasha Campa/BOS/COSLO on 08/05/2013 08:30 AM -----

From: "G.R. Hensley" <g.r.hensley@sbcglobal.net>  
To: "Boardofsups@co.slo.ca.us" <Boardofsups@co.slo.ca.us>  
Date: 08/04/2013 12:55 PM  
Subject: Aug 6 Supervisors Meeting Comment

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Attached is San Luis Obispo Coastkeeper Comment for Item 27 – Paso Robles Groundwater Basin.

Please include in the record.

Thank you ,

Gordon Hensley, SLO Coastkeeper

Please consider the environment before printing this e-mail

Gordon R. Hensley, San Luis Obispo COASTKEEPER®  
Environment in the Public Interest

San Luis Obispo, CA 93401

email: [coastkeeper@epicenteronline.org](mailto:coastkeeper@epicenteronline.org)

[www.Epicenteronline.org](http://www.Epicenteronline.org)

Download free SWIM GUIDE APP for up-to-date beach/river water quality info:  
<http://www.theswimguide.org/>



13.08.06 Paso Basin Ord.BoS .PDF



EPI-Center,

San Luis Obispo, CA 93401

## San Luis Obispo COASTKEEPER®

County of San Luis Obispo  
Board of Supervisors, Bruce Gibson, Chair  
County Government Center  
San Luis Obispo, CA 93408

August 3, 2013

Via Email: [boardofsups@co.slo.ca.us](mailto:boardofsups@co.slo.ca.us)

**Subject:** August 6, 2013 Board Agenda Item 27. Presentation of Potential Options for an Urgency Ordinance Covering the Paso Robles Groundwater Basin.

**Coastkeeper Position:** Urge Board Direction SUPPORTING Staff Recommendation for Potential Ordinance Options: 1A.1; IIB; IV.1 (a)-(c); VA.3; VI.A.1; VII.A.1. OPPOSING Potential Ordinance Option III.

Chair Gibson and Honorable Supervisors

On Tuesday your Board is scheduled to consider a presentation from Staff for direction regarding 1) the creation of an Urgency Ordinance to protect the beneficial water uses in the Paso Robles Groundwater Basin.

The severity and seriousness of the current water overdraft in the Paso Robles groundwater basin has been well documented. Unfortunately the crisis in the Basin has been decades in the making and is now visited on your Board as a direct consequence of past planning and permitting decisions. The Staff presentation initiates an opportunity to alter the predictable course set by past decisions to arrive at a more sustainable future for the water supplies in the Basin.

San Luis Obispo COASTKEEPER®, a program of Environment in the Public Interest, is organized for the purpose of ensuring that the public has a voice with agencies and official responsible for enforcing water quality, watershed protection, and environmental regulations. On behalf of our Central Coast supporters, SLO COASTKEEPER urges, as a first step, the implementation of a strict Ordinance to prevent any further degradation of Basin water quality or quantity, followed by a serious re-evaluation of planning policies and permit requirements in throughout the Basin.



San Luis Obispo COASTKEEPER® a Program of Environment in the Public Interest is a trademark and service mark of WATERKEEPER® Alliance, Inc. and is licensed for use herein.

Agenda Item Number: 27  
Meeting Date: August 6, 2013  
Presented By: Gordon Hensley

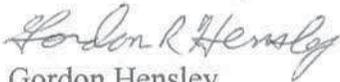
Rec'd prior to the meeting & posted on: August 5, 2013

After reviewing Staff's Sample Ordinance SLO Coastkeeper offers the following comments as your Board considers proposed Ordinance Options:

- Applicability Option I. Applicability.— Coastkeeper urges Board Direction supporting Option I.A.1: As an issue of fairness and acknowledgment that a solution depends on the cooperation and participation of all groundwater users, the Ordinance should apply to all properties within the Basin as identified on Staff Report Attachment A (Map of the Paso Robles Groundwater Basin).
- Option II. Prohibitions - For the same reasons outlined for Option I.A.1., prohibitions should prevent any further degradation of water resources until plans to create a sustainable water supply to serve the area is in place. Coastkeeper urges Board Direction supporting Option II.B.
- Option III Exemptions – Coastkeeper urges that NO EXEMPTIONS from the requirements of the Ordinance be allowed until plans to create a sustainable water supply to serve the area is in place. Should your Board believe that an exemption clause must be included, Coastkeeper urges Option IV(a)-(c).
- Option V. Existing Irrigated Crop Production - Coastkeeper urges Board Direction supporting Option VI.A.1 and VII.A.1.

Thank you for the opportunity to offer our comments.

Respectfully Submitted,



Gordon Hensley,

San Luis Obispo **COASTKEEPER**®

CC:

Supervisor Arnold [darnold@co.slo.ca.us](mailto:darnold@co.slo.ca.us)

Supervisor Gibson [hgibson@co.slo.ca.us](mailto:hgibson@co.slo.ca.us)

Supervisor Hill [ahill@co.slo.ca.us](mailto:ahill@co.slo.ca.us)

Supervisor Meecham [fmecham@co.slo.ca.us](mailto:fmecham@co.slo.ca.us)



San Luis Obispo **COASTKEEPER**® a Program of Environment in the Public Interest is a trademark and service mark of **WATERKEEPER**® Alliance, Inc. and is licensed for use herein.

Agenda Item Number: 27  
Meeting Date: August 6, 2013  
Presented By: Gordon Hensley  
Rec'd prior to the meeting & posted on: August 5, 2013



**To:** BOS\_Legislative Assistants, cr\_board\_clerk Clerk Recorder/ClerkRec/COSLO@Wings,  
**Cc:**  
**Bcc:**  
**Subject:** Fw: Contact Us (response #2382)  
**From:** Board of Supervisors/BOS/COSLO - Monday 08/05/2013 08:31 AM  
**Sent by:** Cytasha Campa/BOS/COSLO

----- Forwarded by Cytasha Campa/BOS/COSLO on 08/05/2013 08:31 AM -----

**From:** "Internet Webmaster" <webmaster@co.slo.ca.us>  
**To:** "BoardOfSupps@co.slo.ca.us" <BoardOfSupps@co.slo.ca.us>  
**Date:** 08/02/2013 07:44 PM  
**Subject:** Contact Us (response #2382)

**Contact Us (response #2382)**

**Survey Information**

Site:	County of SLO
Page Title:	Contact Us
URL:	http://www.slocounty.ca.gov/bos/BOSContactUs.htm
Submission Time/Date:	8/2/2013 7:44:12 PM

**Survey Response**

Name:	T.R. and Susan Maxwell
Telephone Number:	
Email address:	<a href="mailto:smaxwell4371@gmail.com">smaxwell4371@gmail.com</a>
Comments or questions (8,192 characters max):	We have lived in our rural Templeton home since 1984, and have seen many changes over the years. For the most part these changes have been positive. This changed recently with the very large vineyard development at the Creston Road/South El Pomar intersection. There are hundreds of acres being planted, miles of ten inch water line waiting to be installed and a large above ground pond being completed. The depletion of the groundwater basin has become fact. Our hope is that the Board of Supervisors will find a fair and balanced solution, equitable for small acreages and large agricultural interests alike. Many of the agribusinesses are a part of large corporations and have deep pockets. Not so for a lot of the rural residents whose homes represent a lifetime of investment and work. Thank you.



**Fw: Another dry well in El Pomar area**

**Cytasha Campa** to: BOS\_Legislative Assistants, cr\_board\_clerk  
Clerk Recorder

08/05/2013 10:00 AM

Kindest regards,

## Cytasha Campa

Board Secretary

Board of Supervisors

San Luis Obispo County

805-781-4335

----- Forwarded by Cytasha Campa/BOS/COSLO on 08/05/2013 10:00 AM -----

From: Daniella Sapriel <daniella@hummingbirdhouse.org>  
To: darnold@co.slo.ca.us, fmecham@co.slo.ca.us, ahill@co.slo.ca.us, bgibson@co.slo.ca.us  
Cc: ccampa@co.slo.ca.us, BoardofSupps@co.slo.ca.us  
Date: 08/05/2013 09:47 AM  
Subject: Another dry well in El Pomar area

---

Dear Ms. Campa,

Please have the attached letter put in the public record for tomorrow's meeting re agenda item #27 (emergency water ordinance). Thank you. I am sending this letter on behalf of my neighbor, Billie L. Parks. She is an 83-year old widow, and she does not have email. She has authorized me to send this letter by email on her behalf.

(Let me know if you cannot open the attachment).



Billie.doc

To: Supervisors Debbie Arnold, Franck Mecham, Bruce Gibson and Adam Hill

From: Billie L. Parks, Templeton, CA 93465

Dear Supervisors Arnold, Mecham, Gibson and Hill,

My well went dry Saturday August 3, 2013, after a month or so of problems that I tried to solve by having my pump adjusted and cutting back usage. I own 11.8 acres in Templeton, across the road from the thousands of new plantings that went in what was previously dry-farmed acreage.

My well was at 269 feet. The new vineyards have monster pumps that I can hear run all night. I am adjacent to Pomar Junction and another vineyard. I continue to see new plantings, despite the problems that everyone in my neighborhood is having with their wells. These new plantings have to stop. Even if I drill a new well we can't drill our way out of this problem. After a certain point, the water just isn't going to be there. And what comes from the deep wells smells terrible. I have let my landscaping die.

I am a widow. I am 83 years old. My property is free and clear. It was supposed to be my and my late husband's legacy to our children. Now my children tell me maybe I should sell and get out. Where can I go? How can I sell a property in an area which is being pumped dry? The same corporations who are doing this here did the same thing in Kern County. They planted thousands of acres of vineyards. When the vineyards went dry they just pulled out and moved on. Is that what we want for Paso?

I am writing to add my voice to those calling for emergency measures to be taken. I have lost faith in our Board and our elected officials. It seems that money speaks louder than people. Is that the kind of County we want to become?

Billie L. Parks

Templeton, CA 93465



**Fw: August 6, 2013 BoS hearing item #27**

**Cytasha Campa** to: BOS\_Legislative Assistants, cr\_board\_clerk  
Clerk Recorder

08/05/2013 10:36 AM

Kindest regards,

## Cytasha Campa

Board Secretary

Board of Supervisors

San Luis Obispo County

805-781-4335

----- Forwarded by Cytasha Campa/BOS/COSLO on 08/05/2013 10:36 AM -----

From: LJTORNQUIST@aol.com  
To: darnold@co.slo.ca.us, fmecham@co.slo.ca.us, ahill@co.slo.ca.us, bgibson@co.slo.ca.us  
Cc: ccampa@co.slo.ca.us  
Date: 08/05/2013 10:34 AM  
Subject: August 6, 2013 BoS hearing item #27

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Board of Supervisors

Regarding August 6, 2013 BoS hearing item #27

We will not be unable to attend the meeting on August 6<sup>th</sup>; however, we would like to be heard. We are asking for a temporary moratorium on all new water uses for production agriculture until a solution that is fair to all can be determined. Again, sharing our concerns for above ground ponds & reservoirs. We are also asking for metering, monitoring and reporting of water use on all wells used for production agriculture and commercial. This will help provide more accurate records of water utilization.

Thank you for your consideration and for representing our voices in the community.

Respectfully,

Lyle & Janet Tornquist  
El Pomar Drive  
Templeton



**Fw: Urgency Ordinance for Paso Robles Groundwater Basin**

**Board of Supervisors** to: BOS\_Legislative Assistants,  
cr\_board\_clerk Clerk Recorder

08/05/2013 10:43 AM

Sent by: **Cytasha Campa**

----- Forwarded by Cytasha Campa/BOS/COSLO on 08/05/2013 10:42 AM -----

From: Charles Kleemann <chazkleemann@gmail.com>  
To: SLO BOS <boardofsups@co.slo.ca.us>  
Date: 08/05/2013 10:42 AM  
Subject: Urgency Ordinance for Paso Robles Groundwater Basin

---

Thanks for considering the attached comments regarding this agenda item.



8.5.13BOS PasoBasin.pdf

August 5, 2013

To: San Luis Obispo County Board of Supervisors

**Re: August 6, 2013 Agenda Item 27 - Urgency Ordinance for Paso Robles Groundwater Basin**

Honorable Board Members,

As a rural resident living in an area with limited water resources (Calf Canyon Rd. at the Salinas River), I support your efforts to achieve realistic, workable solutions to a problem that will undermine future livability, and ultimately our local economy, if not addressed appropriately. Although the action your board took in 2012 to restrict rural subdivisions and lot splits was a step in the right direction, effective action will need to reach beyond residential users.

While your board may have limited tools available to develop an Urgency Ordinance for the Paso Robles Groundwater Basin, I urge you to implement all available land use policy tools to place immediate restrictions on the largest users. If 4% of the total acreage overlying the basin is using more than 80% of the water resources, it would seem obvious that this situation MUST be brought into balance for there to be any hope of restoring the basin to yield amounts sustainable into the future. Residential users have and will continue to endure hardship, but even the total elimination of residential users from the basin would not appreciably contribute to achieving the needed balance. As you develop this interim ordinance, please consider:

- The magnitude of the problem is far greater than voluntary conservation measures will remedy.
- Living within our means (not using more resources than we have) is not only a valid perspective, but potentially the only truly reliable option.
- Delivery of new supply sources will take time, be expensive, and come with no guarantee of future reliability.
- Drilling new, deeper wells provides no guarantee of future reliability.
- Borrowing money to drill a new well unfairly saddles individuals not responsible for creating the problem with long term debt.
- Creating an allocation system for new wells.
- Requiring discretionary permits for new irrigated agricultural uses in the basin.
- Is permitting of all crop types treated equally? Should nearly all of a quickly diminishing resource essential to life (water) be increasingly used to irrigate crops non-essential to life?
- Requiring flowmeters and water use reporting on all irrigated agricultural uses (and possibly all uses with consumption required to fall within pre-determined values for specific uses).
- Making ongoing, affordable potable water sources available for trucking water to homes whose wells have gone dry.
- Directing staff to prioritize development of a groundwater management structure that IS fair to all.

Respectfully,

  
Charles Kleemann  
Rural Santa Margarita



**Fw: Paso Robles Groundwater Basin Options**

**Board of Supervisors** to: BOS\_Legislative Assistants,  
cr\_board\_clerk Clerk Recorder

08/05/2013 10:45 AM

Sent by: **Cytasha Campa**

----- Forwarded by Cytasha Campa/BOS/COSLO on 08/05/2013 10:45 AM -----

From: danrlloyd@yahoo.com  
To: "boardofsups@co.slo.ca.us" <boardofsups@co.slo.ca.us>  
Date: 08/05/2013 09:48 AM  
Subject: Paso Robles Groundwater Basin Options

---

Dear Board Members;

Attached is a letter outlining my concerns and comments regarding the proposed options for your consideration. If you have any questions regarding my thoughts, please don't hesitate to call me.

Sincerely,

Dan Lloyd



ghj.pdf

August 3, 2013

Board of Supervisors  
County of San Luis Obispo  
County Government Center  
San Luis Obispo, CA 93498



*Governmental Affairs Consulting*

**Re: Paso Robles Groundwater Basin – Comments Regarding Staff Proposed Options**

Dear Board Members;

If your Board is determined to take action regarding staff's proposed options on the August 6<sup>th</sup>, then please consider the following thoughts.

**Attachment C**

Option II.A.1: Some exception should be granted to those who have signed contracts with suppliers for the provision of plant materials and/or services as of August 6<sup>th</sup>. This would also apply to Option II.A.2.

Option Iab: This is acceptable on an interim basis.

Option III: This is acceptable

Option III.A.5: The limitation of 20-acres of planting is acceptable until the stakeholders can provide guidance to your Board. An exemption for those who have contracted for services related to new planting should be honored.

Option III.A.6: Limiting the square footage of new residential dwellings will not make a significant impact on preserving water resources of the basin. The use of water meters and periodic reporting is prudent.

Option III.A.7: Some reasonable amount of landscaping is beneficial for the residents and needed for creating a sense wellbeing.

Option III.A.8: We may want to have an appeal process available for those uses that are not injurious to the basin or that cannot be anticipated at this juncture.

Option IV.1.C.3: Add a new item, (d), to allow for farmers to replace an intensive irrigated crop with a less intensive irrigated crop where the reduction of water use is 75% of the former, regardless of acreage.

Option IV.1.D.3: Is there a discrepancy between the 0.5 AF in the first sentence and the "acre foot" in the last sentence?

Option IV.1.D.4: The 0.2 acre feet per acre assignment of water is very problematic. Not all of the land within the basin should be considered as irrigated. Some other measure should be considered and studied before this factor is prescribed.

Option IV.2.B: The term "shall be obtained" in the second line appears redundant. The issue of non-exempted uses ignores the fact that we cannot anticipate all potential uses. Therefore, an appeal process should be provided.

Option V.A.1.1: An item (d) should be added to allow for replacement of an intensive water use crop with a less intensive one at the rate of 75% of the former.

Option V.A.3(c): Again, the assignment of 0.20 acre feet of water to every acre of land within the basin is very problematic. This concept need to be more fully discussed and studied.

Option VI.A.1-3: Agricultural ponds for the purpose of frost protection needs to be more fully discussed.

Option VII.B.2: Language should be added that allows for planting to proceed where binding contracts for the provision of plant materials has been executed, or where possession of purchased plant materials have not yet been planted.

#### Attachment D

3.b: Land Divisions. The restriction of "no subdivisions" within the Basin is far too narrowly focused since not all land divisions are the same in terms of impacts. Land divisions requested in conjunction with Williamson Act contracts should be allowed to proceed since these are beneficial to the local agricultural economy and do not constitute residential growth. If the County is concerned that these types of divisions result in unintended residential growth, then the provision for construction of residences could be restricted until such time as the Basin is in a more healthy state.

Staff has assembled a comprehensive list of options that afford you the benefit of multiple courses of action. Considering that the issue of management of Paso Robles Basin groundwater resources is extremely critical, caution should be exercised as you review these options. I urge you to reach out to the community for their involvement and participation on the affects and potential unintended consequences that could be encountered with implementation of these options. Solutions are at hand and your judgment and thoughtful review will help to chart a course for wise stewardship.

Sincerely,



Dan Lloyd



**Agenda correspondence for Aug 6th**  
**Cytasha Campa** to: cr\_board\_clerk Clerk Recorder

08/05/2013 10:38 AM



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doc20130805105841.pdf

Kindest regards,

**Cytasha Campa**

Board Secretary

Board of Supervisors

San Luis Obispo County

805-781-4335



Water Solutions, Inc.

## Technical Memorandum

**Date:** August 1, 2013

**Project No.:** 0497.001

**To:** Chad Rava, Willy Cunha, James Ontiveros, Andrew Zaninovich, and Sam Balakian

**From:** Jeff Barry, Bryan Bondy, and Kenny Janssen; GSI Water Solutions, Inc.

**RE: PASO ROBLES BASIN AND SHANDON GROUNDWATER CONDITIONS**

---

This technical memorandum presents findings from a review of available data on groundwater conditions in the Shandon subbasin compared to other parts of the Paso Robles Basin. The purpose of this memorandum is to assess whether the Shandon area is experiencing the same groundwater level concerns as other parts of the Basin.

### Summary

GSI Water Solutions, Inc. (GSI) have compiled and reviewed available data on groundwater conditions for the Basin to assess whether the Shandon area is experiencing the same groundwater level concerns as some of the other subbasin areas. In summary, the work conducted so far suggests that the significant groundwater level problems are within the Estrella subbasin located west of Shandon near the City of Paso Robles.

Though some wells in the Shandon area have experienced long-term declining groundwater levels over time, they are generally within the range of seasonal fluctuations observed historically, and appear to be leveling off in recent years relative to increases in rainfall recharge. Groundwater levels during the mid-1970s and early-1990s following repeatedly dry years were some of the lowest on record and are similar to groundwater levels observed during the early-2000s following another dry period. Groundwater levels in most Shandon area wells since the mid-2000s appear generally stable, or in some wells have exhibited slightly increasing trends in an apparent response to an overall increase in rainfall since that time. Similar increasing trends have been observed in other wells in the Atascadero and San Juan subbasins, while levels continue to decline in the Estrella.

Attached are four figures developed using published reports, County data, and data from private agricultural land/well owners that demonstrates an understanding of the groundwater conditions thus far. Please note that additional data (e.g., recent data for other County observation wells in the Shandon area, including groundwater levels and well construction/completion information) are needed to further the understanding of the groundwater conditions in the basin/subbasin, though the County has not released these data. The figures are listed below:

- Figure 1 – Groundwater Level Changes, 1980-2009
- Figure 2 – Subbasin Hydrographs and Regional Groundwater Flow Directions
- Figure 3 – County Observation Well Hydrographs, Shandon Subbasin
- Figure 4 – Private Agricultural Well Hydrographs, Shandon Subbasin

A brief summary of each figure is provided in the subsections below.

### **Groundwater Level Changes, 1980-2009**

Figure 1 depicts groundwater level changes basin-wide for periods between 1980 and 1997, 1997 and 2006, and 1997 and 2009. Groundwater level changes during these periods suggest that the Shandon area is experiencing short-term, seasonal fluctuations in water levels opposed to the long-term, persistent declines that some other portions of the Basin are experiencing:

- 1980 – 1997 (map on far left): Areas exhibiting an overall decline during this period include the Estrella, Shandon, Creston, San Juan and Bradley Subbasins. The Estrella and San Juan subbasins exhibit the greatest declines (and over the broadest areas) compared to the Shandon, Creston, and Bradley subbasins.
- 1997 – 2006 (center map): Illustrates similar or continued declines in the Estrella and Creston subbasins, and to a lesser degree in localized portions of the Shandon and San Juan subbasins. Areas exhibiting groundwater level increases include the northwest portion of San Juan, east-central portion of Shandon (in the area of Rava and Sunview Vineyards), portions of Atascadero, and portions downgradient of the area experiencing the largest declines in the Estrella.
- 1997 – 2009 (map on far right): Shows wide-spread declines of varying magnitudes in all subbasins monitored.

Areas where declining groundwater levels are consistent amongst the three periods are likely experiencing long-term declines (certainly Estrella, and in some portions of Creston and San Juan). Areas

that are inconsistent among the periods, such as Shandon (which shows an overall decrease during 1980 to 1997, followed by an overall increase during 1997 to 2006, followed by an overall decrease during the longer 1997-2009 period), suggests areas experiencing short-term or seasonal groundwater level fluctuations that appear to be tied to variations in precipitation. Seasonal fluctuations in the Shandon subbasin range between 30 and 50 feet.

## Hydrographs by Subbasin

Figure 2 shows hydrographs for each subbasin. A summary by subbasin is provided below:

- Atascadero – Groundwater levels exhibit both rising and falling trends, though generally stable overall. Seasonal fluctuations of approximately 40-60 feet are common. Groundwater flow is generally to the north and northwest, parallel to flow in Salinas River.
- Creston – Groundwater levels exhibit both rising and falling trends. Recent trends exhibit declines, but water levels are generally within the historical period of record. Groundwater flow is generally northward from Creston to Estrella.
- San Juan – Groundwater levels exhibit both rising and falling trends. Hydrographs for two of the three wells shown are relatively stable or slightly increasing, while the third (Well 28S/16E-15D01) exhibits a declining trend in recent years. Groundwater flow is generally to the north-northwest to Shandon.
- Estrella – Groundwater levels have declined upwards of 60-80 feet or more. Groundwater flows into Estrella from Gabilan, Shandon, Atascadero, and Creston, and flows northwestward into Bradley.
- Shandon – Though some wells in the Shandon area have experienced some declining groundwater level trends over time, they are generally within the range of seasonal fluctuations observed historically. The recent declines shown on this hydrograph are likely in response to decreased rainfall recharge during the late-1990s and early-2000s. Other wells in this subbasin have exhibited relatively stable or increasing trends since the mid-2000s. Groundwater flows into Shandon from San Juan and South Gabilan subbasins and from Cholame Hills/Basin. Groundwater flows from these areas converge along the Estrella River and flows westward into the Estrella subbasin.
- South Gabilan – Groundwater levels are relatively stable over the 40+ period of record with a slight increasing trend over time. Groundwater inflow is from the Cholame Basin and flows out to Shandon and Estrella.

- Bradley – Groundwater levels indicate long-term stability despite being located downgradient of the Estrella area where the subbasin has experienced significant declines since as early as the mid-1960s. Groundwater flows into Bradley from North Gabilan and Estrella subbasins. The Paso Robles basin outlet is northwest and downstream of Bradley, where it is hydraulically connected with the Salinas Valley Groundwater Basin.

## Shandon Subbasin Hydrographs

Figures 3 and 4 present hydrographs of wells located within the Shandon subbasin. Figure 3 includes wells that are part of the County's monitoring well network while Figure 4 includes some private agricultural wells. Both figures include a plot that shows the annual rainfall cumulative departure from the mean over a 72-year period of record using data recorded at the Shandon #73 weather station. Periods when the cumulative departure from mean precipitation line is going up indicates overall wet conditions whereas periods where the line is going down indicated continued dry conditions (even when there have been some preceding wet years). Some observations/trends are summarized below:

- Cumulative departure of annual rainfall at Shandon (Figures 3 and 4) – With the exception of a few wet periods, much of the latter half of the 20th century was dry. Within the last 30 years, most of the mid-1980s to early-1990s were dry, the remaining 1990s were wet, and the 2000s were a period of above average rainfall, except for dry years 2006-07 and 2008-09.
- County Observation Wells (Figure 3) – Groundwater levels at a number of the wells trend noticeably upward during wet periods and downward during dry periods. Overall, groundwater levels have declined, though are generally within the range of seasonal fluctuations observed historically and appear to be leveling off since mid-2000 in response to a general increase in rainfall since that time. Groundwater level trends in most wells since the mid-to-late 2000s appear relatively stable or are slightly increasing.
- Private Agricultural Wells (Figure 4) – Like the County observation wells, the private agricultural wells had similar upward/downward groundwater level trends in response to wet/dry periods, particularly wells Ra 32 (100 hp) and Ra 37 (150 hp). While some wells show an overall water-level decline during the period of record monitored, others show an overall increase. Since the mid-2000s, water levels appear to trend upward in wells Ra 32 (100 hp), Ra 37 (150 hp), Ra 37 (40 hp), and Ra 47 (100 hp) and downward in wells Ra 44E and Ra 44W.
- Comparative Summary of Overall Water-Level Trends – Groundwater levels observed in the private agricultural wells and County observation wells exhibit some differences in water-level changes over time – some wells show an overall declining trend while others do not. For example, water levels appear to trend upward in wells Ra 37 (75 hp), Ra 44E, and Ra 32 (100

hp) and downward in wells Ra 48 (125 hp), Ra 37 (150 hp), and Ra 37 (40 hp). Similarly, long-term declines are exhibited in the County observation wells with the exception of 34P02, which exhibits somewhat stable conditions since the early-1970s.

Some of the County observation wells appear to have higher groundwater elevations compared to neighboring private agricultural wells. For example, groundwater elevations at 29M01 (Figure 3) and Ra 32 (Figure 4) differ by 50 feet, sometimes more and sometimes less. Some of the elevation differences could be attributed to some of the following uncertainties:

- Wells could be completed in different water-bearing zones having different hydrostatic pressures and piezometric surface elevations. The private agricultural wells are completed to depths ranging between 500 and 953 feet with open-interval lengths ranging between 275 and 703 feet. Most of these wells may be completed in the shallow aquifer subdivision of the Paso Robles Formation. Well construction and completion information for the County observation wells however, have not been released by the County or available for review in published reports. Consequently, we cannot confirm at this time which hydrostratigraphic unit(s) these wells are completed in.
- Land surface elevations at the private agricultural wells have not been surveyed and rely upon a USGS 10-meter digital elevation model when determining groundwater elevations. It is not known how elevations were determined for the County observation wells or what datum was used.
- Standing groundwater levels reported for the private agricultural wells may not represent static aquifer conditions. Groundwater level data for the private agricultural wells were compiled from routine well efficiency tests. Depending on if and for how long the pump was operating prior to conducting the test, the standing water level reported could be the water level in the well after some period of recovery after the pump was shut off. Whether the water level returned to pre-pumping levels before the efficiency test was conducted is not known. Methods of groundwater level monitoring at the County observation wells are not known.

## Points of Discussion

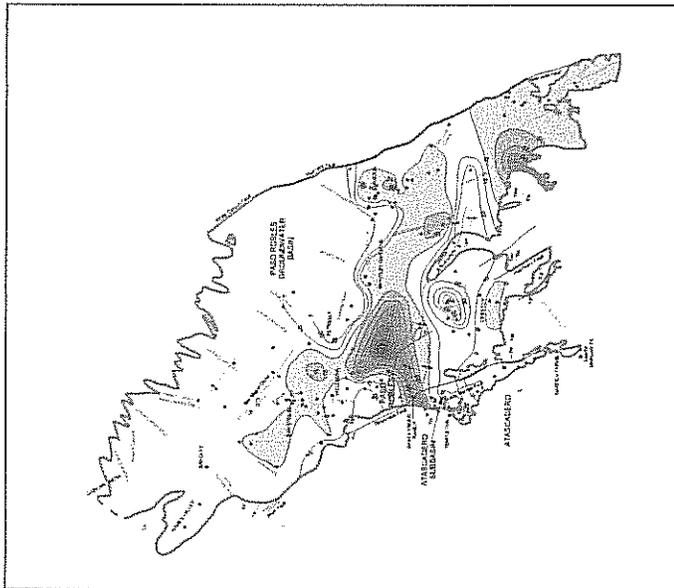
- The County has additional data that they have not released and so the decision makers and potentially affected parties have very limited real information upon which to make decisions and assess current and past conditions of the groundwater system. These data are needed to better understand the groundwater conditions in the basin and subbasin areas.

- The biggest problems are in the Estrella subbasin, so management efforts should be focused there rather than areas that do not share the same issues. A large over-arching groundwater management district could be problematic because there are different hydrogeologic, demographic, and land use characteristics in each subbasin. Each subbasin should have the authority and responsibility to manage their own issues and to have a seat at the table when it comes to joint coordination.
- It is recommended that information including lessons learned be gathered from those involved with the Fox Canyon Groundwater Management Area in Ventura County and Santa Maria adjudication before embarking on a governance process.

# Figures

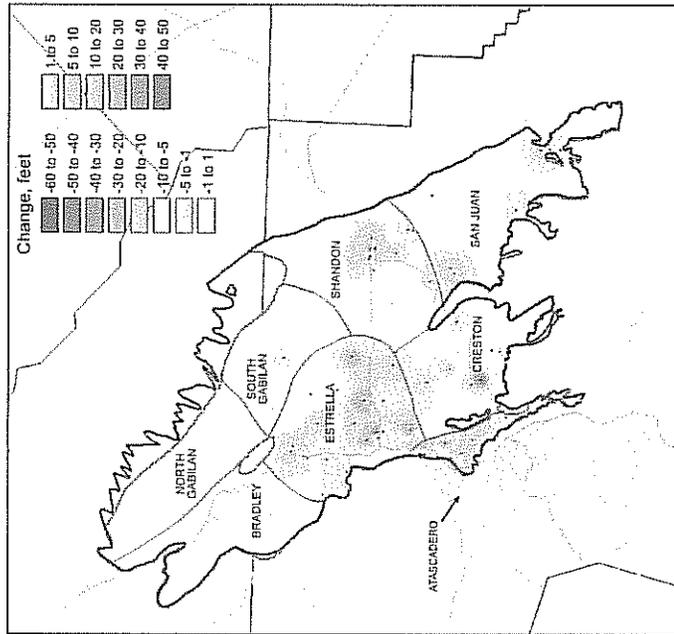
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Spring 1980 – Spring 1997



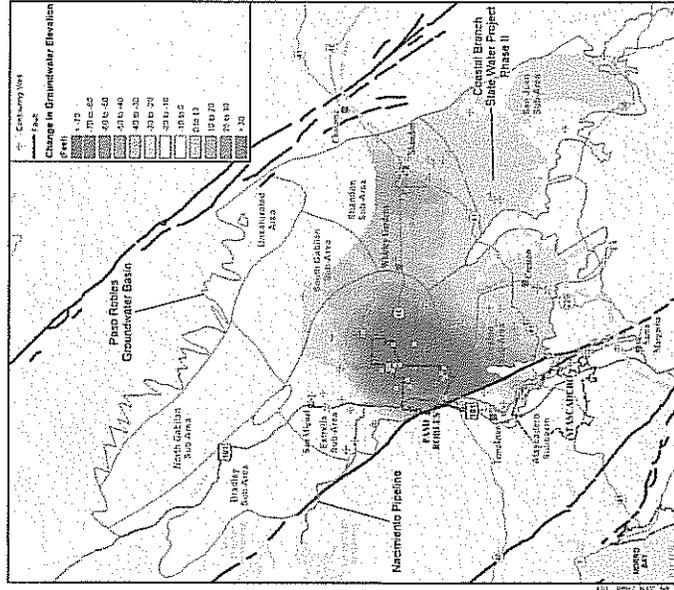
Source: Fugro West and Clegh and Associates, 2002. Paso Robles Groundwater Basin Study (Phase II), Prepared for County of San Luis Obispo County Public Works Department, August 2002.

Spring 1997 – Spring 2006



Source: Todd Engineers, 2007. Update for the Paso Robles Groundwater Basin. Prepared for Paso Robles Groundwater Basin Committee, December 2007.

Spring 1997 - Spring 2009



Source: Bookman-Edmiston, 2011. Annual Monitoring Report for Calendar Year 2009. City of Paso Robles. Prepared by Bookman-Edmiston, a Division of GSI Consultants, for the Paso Robles Groundwater Basin – Groundwater Advisory Committee, February 9, 2011.

**FIGURE 1**  
Groundwater Level Changes, 1980-2009  
Paso Robles, California

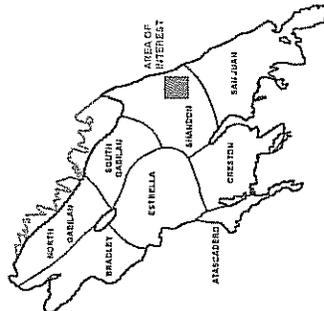


DRAFT





**FIGURE 3**  
County Observation Well Hydrographs  
Shandon Subbasin  
Paso Robles, California



- LEGEND**
- Private Well
  - SLO County Observation Well
  - ▲ Shandon #73 Precipitation Gauge
  - Roads
  - Watercourses
  - Waterbodies

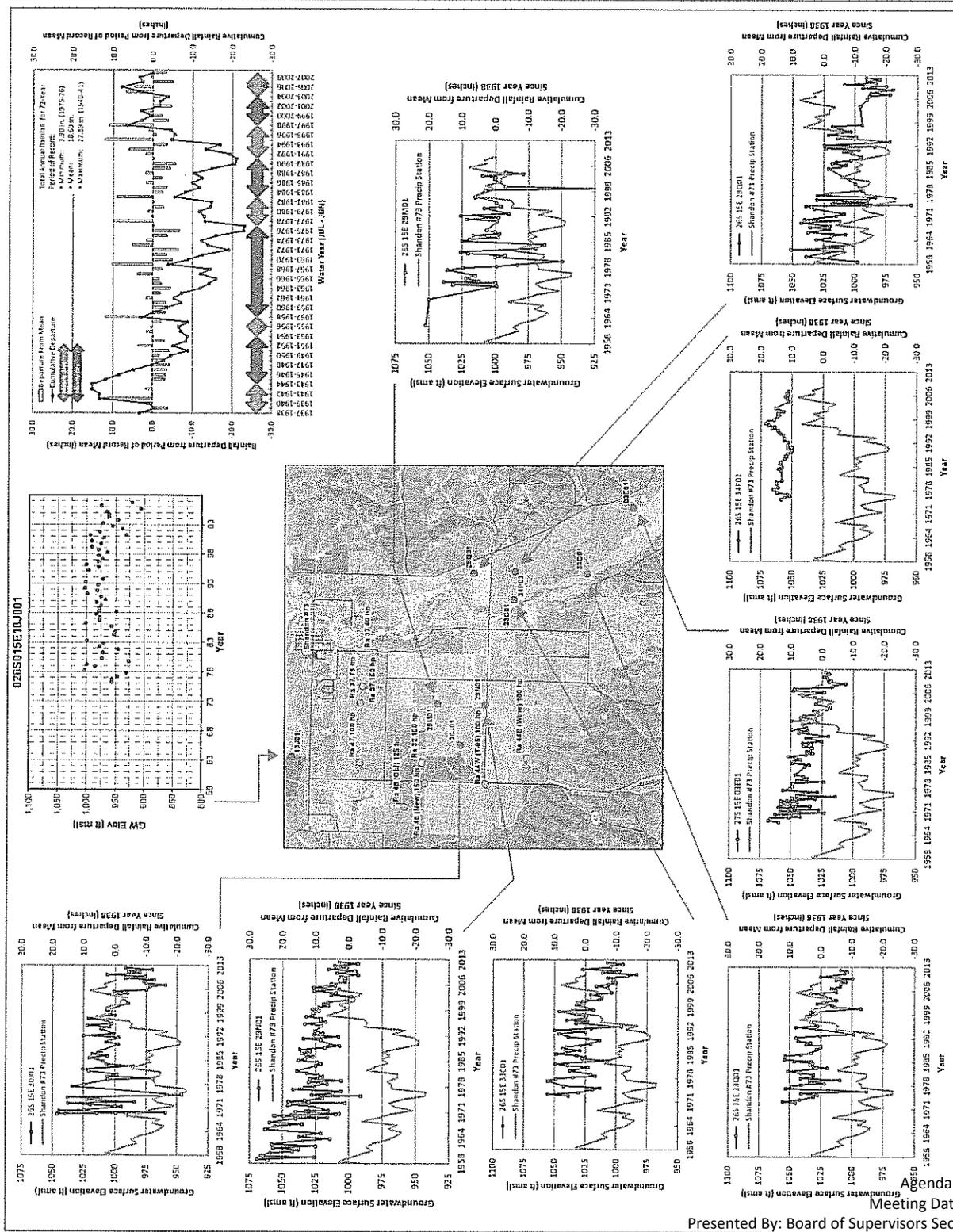
**NOTES**

- Groundwater elevation data are from San Luis Obispo County.
- Well locations are from Fugro West, Inc. et al. (2002).
- Well construction and completion information for the SLO County observation wells have not been provided for review and are unknown at this time.
- Precipitation data are from SLO County; Shandon #73 precipitation station.
- Fugro West, Inc. and Cleath and Associates, 2002.
- Paso Robles Groundwater Basin Study Final Report, prepared for County of San Luis Obispo Public Works Department, August 2002.

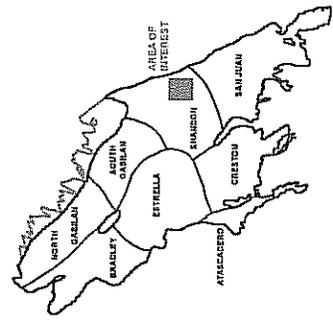


**DRAFT**

Water Stations, Inc.



**FIGURE 4**  
Private Well Hydrographs  
Shandon Subbasin  
Paso Robles, California



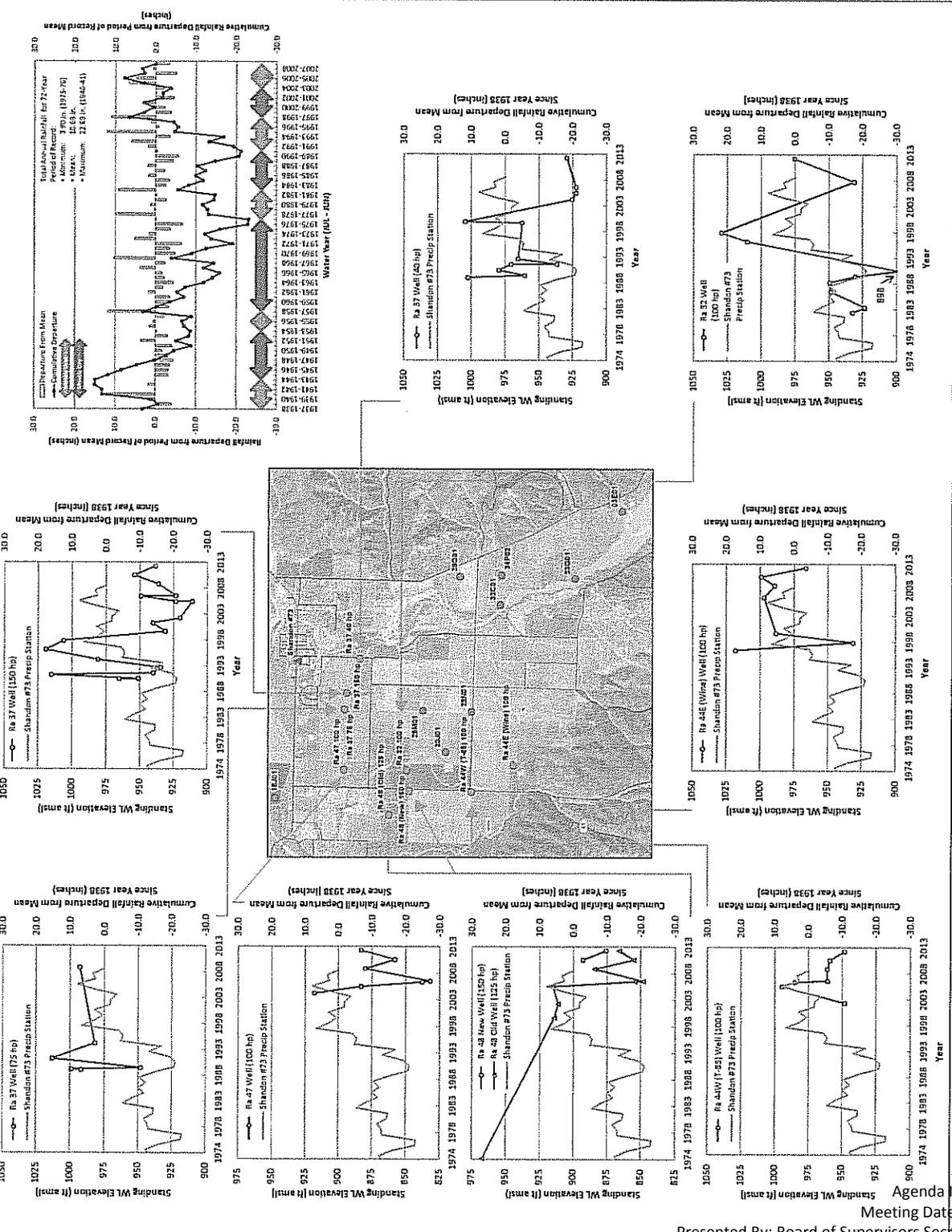
- LEGEND**
- Private Well
  - SLO County Observation Well
  - ▲ Shandon #73 Precipitation Gauge
  - Roads
  - Watercourses
  - Waterbodies

**NOTES**

- Water level data and well logs were provided for use by private land/well owners.
- Water level data are from manual measurements collected during well efficiency tests.
- Groundwater elevations calculated using land surface elevation data obtained from the UBCS, 10-m DEM.
- Wells are completed in the shallow aquifer subdivision of the Paso Robles Formation.
- Precipitation data are from SLO County: Shandon #73, Fugro West, Inc. and Ckellth and Associates, 2002.
- Final Report Paso Robles Groundwater Basin Study, Department, August 2002.
- Fugro West, Inc., ETIC Engineering, Inc., and Choth and Associates, 2005, Final Report Paso Robles Groundwater Basin Study Phase II Numerical Model Development, Calibration, and Application, prepared for County of San Luis Obispo Public Works Department, February 2005.



**DRAFT**



File Path: \\slo\GIS\Projects\2011\Hydro\Server\Figures

Forwarded  
to the  
Clerk Recorder

EACH SUPERVISOR  
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RECEIVED

August 2, 2013

Supervisor, Bruce Gibson  
1055 Monterey St.  
San Luis Obispo, CA 93408

AUG -2 2013

Board of Supervisors  
San Luis Obispo County

Supervisor Gibson,

I have read and studied the Paso Robles basin ground water study and report dated March 1979 conducted by the State Department of Water Resources and the county of San Luis Obispo. I also have read and studied the February 2011 ground water management plan.

In 1977 (a base data year for the 1979 study) there were 268,110 acres in dry land grain and grazing land in addition there were also 22,800 irrigated acres consisting of 12,500 acres of alfalfa, 2,100 acres of sugar beets, 3,800 acres of irrigated pasture, 2,900 acres of grapes and other irrigated crops. In 1977 these crops utilized 75,000 acre feet of water. All of these crops were irrigated by overhead sprinklers. That figures out to 3.3 acre feet per acre per year. Now fast forward to 2013; the face of agriculture has changed dramatically. The reported 36,000 acres of grapes utilize around 9/10 of acre feet of water and much less in many instances. This represents an annual total of 32,400 acre feet of water for grapes thus giving back to, or leaving in the aquifer 42,600 acre feet for other uses. Turning to the 2011 groundwater management plan the map shows the map of the Paso Robles groundwater basin, as defined by geologists of the California Department of Water Resources in 1958. The common substrata characteristics of the basin extend far north above Bradley to San Ardo. However even though the substrata is the same there are three sub areas totaling over 152,000 acres that do not interface with the Paso Robles or Estrella sub basin. These are the Bradley, North Gabilan and South Gabilan basins. As stated in the report all three of these sub basins drain into the San Antonio, Nacimiento and Salinas Rivers and flow north. These areas never have had any influence either positive or negative on the Paso Robles basin portion under discussion. Quote "The basin outlet is northwest and downstream of Bradley where it is hydraulically connected with the groundwater basin of the Salinas Valley."

In addition according to the report quote "the Atascadero sub basin is considered a hydrologically distinct sub basin within the basin". "The Rinconada fault separates the Atascadero sub basin from the Paso Robles basin. Given this information and removing 11,710 acre feet of ag water from the 60,000 acre feet total the percentage of agricultural water use in the basin in question is 54% not 67 as discussed. Further if grapes amount to 86% of agricultural water used then the percentage of total ag water used in grapes is 46%. Owing to the fact the ag water demand appears to be somewhat equal with other uses it is time to stop the finger pointing and do what is necessary to solve the problem.

The city of Paso Robles for several years has had in place an enforceable conservation plan. The area grape growers have been reducing water use for years and will continue utilizing deficit

irrigation techniques for grape quality and using sophisticated instruments to sense irrigation needs and intervals.

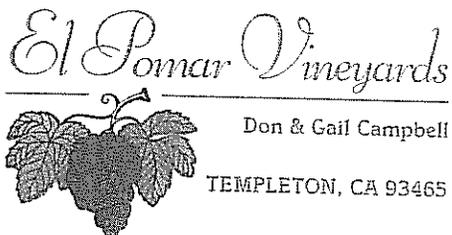
To the rural residential residents with shallow wells I would suggest you band together and explore the forming of a CSA or mutual water company instead of falling for the agenda driven political hype being fostered upon you. There are USDA funds available as well as other funding mechanisms to assist you in solving this problem.

Remember that the prime cause of the problem at hand is a prolonged drought in our area. Any ordinance proposed will do nothing to solve this dilemma. The problem has to be solved by the stakeholders themselves with all of them pulling together.

Sincerely,



Don Campbell  
5<sup>th</sup> District Planning Commissioner



Supervisor, Bruce Gibson  
1055 Monterey St.  
San Luis Obispo, CA 93408



**Coorespondence Aug 6 agenda**  
**Fran Zohns** to: cr\_board\_clerk Clerk Recorder

08/05/2013 10:46 AM



doc20130805114304.pdf

Fran Zohns  
Board of Supervisors  
San Luis Obispo County  
(805)781-5450

EACH SUPERVISOR  
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RECEIVED

AUG - 5 2013

Board of Supervisors  
San Luis Obispo County

July 31, 2013

Forwarded  
to the  
Clerk Recorder

San Luis Obispo County Supervisors  
Attn: For the Record  
Room D-430 County Government Center  
San Luis Obispo, Ca 93408

Delivery Via Email and USPS

Dear Supervisors :

I writing to state my concerns with and objections to the implementation of changes to the rules governing irrigated agriculture which have become the subject of intense discussion and conjecture within my community defined as the Paso Robles Water Basin during the past month or so. The proposed remedy for the falling water table in portions of the basin as proposed by staff is among other things to apply a basin wide ban on new wells, a ban on changes to crops or agricultural practices on existing irrigated lands and a ban on overhead sprinkler irrigation and agricultural ponds.

Blanket denial of access to irrigation water otherwise available under private property which is complete with its water right is an unprecedented and in my opinion unsupportable step that should not and cannot be taken given the actual and implicit protections of our system of law.

We are members of the Paso Robles Agricultural Alliance for Groundwater Solutions (PRAAGS) and support its proposals to move ahead and find a resolution in a positive manner. Do not limit growth, be it agriculture or other growth. Rather, focus on solutions to the water shortage by allowing the property owners to create a water district that would bring in water allocations already earmarked for the region but not currently being delivered here, and/or by assisting communities to create local mutual water companies to serve the needs of residents in areas such as Jardine and/or Genesco Road and the Squirrel Hollow area, and/or protecting the water rights of the entire land owner base in the Paso Robles Ground Water Basin.

Our future depends on our working together and moving ahead positively. A temporary or permanent stop is counter productive. Let's focus on positive resolutions that may be as simple as planning to decrease flow rates so as to increase infiltration rates on area water ways including the Salinas, the Estrella, the Huer Huero, and/or encouraging on site water reservoirs which help recharge the shallow aquifers most often tapped by rural residents, etcetera.

My family purchased a ranch abutting the Estrella River on the western edge of Whitley Gardens over 30 years ago. This property encompassed approximately 1,000 acres and included a significant irrigation well which would support the development of irrigated vineyard on a portion of the property. Over the past 34 years we have worked to become a part of the Paso Robles and San Luis Obispo County agricultural community.

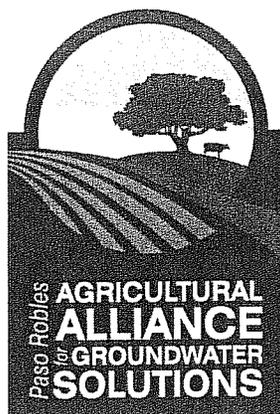
My wife and I have been members and active supporters of the local chapter of the California Farm Bureau Federation. Blanche Comino, my wife, has been Director of District 1 for the Farm Bureau, active on the Salinas River Discharge Regulations group, active on the Make 46 Safe Committee, a leader of the California Farm Bureau, Women's group and leader of the annual "Ag Tour" run by that organization. I have been active in the Pioneers group at the Mid State Fairgrounds and involved in the restoration and rehabilitation of old local farm machinery.

We look forward to hearing that your body has taken the high road, moving in a positive direction that will both protect our resources and maintain the agricultural, social, and economic growth that have been so wonderful to see in our community during the years we have lived here.

Very truly yours,



John C. Comino and Family



August 1, 2013

Ms. Kami Griffin  
Assistant Director, Planning and Building  
kgriffin@co.slo.ca.us

Dear Ms. Griffin:

Thank you for the opportunity to meet in person today. We at PRAAGS as well as many other stakeholders in the Paso Robles Water Basin remain concerned that insufficient time has been allowed to properly assess the accurate condition of the basin and therefore the level of measures necessary to address said conditions.

We are surprised and alarmed by the content of options planning staff has presented to the BOS and would like to know where the numbers came from to suggest acreage restrictions, the fractional acre foot limitations, what staff has in mind as "best practices", has staff considered that the responsible use of some ponds can help conserve pumping and water use and finally, the losses of crops, financial disaster, loss of employment and the overall hit to the county's economy that could result from the implementation of these options.

The many stakeholders' requests (as noted in #3 of your staff comments) to provide inputs is proper and reasonable as our property rights become challenged. Your report to the BOS states that in order for consideration on 8/27/13, the ordinance would have to be prepared by approximately one week from 8/6/13, only 1.5 weeks from today!

It seems that the county would be better served to put the resources and staff capabilities in working with stakeholders to find immediate solutions to help the rural homeowners whose wells have failed. Many of us remain open to help our neighbors in trouble.

We primarily are family farmers and not corporate giants as depicted by many. Most of us live in the basin and are as affected as any.

We want you to know we are requesting postponement of the BOS consideration of the Urgency Ordinance to provide all stakeholders opportunities to work with staff to come up with more effective and equitable options.

Thank you,

  
John Crossland

Agenda Item Number: 27  
Meeting Date: August 6, 2013  
Presented By: Planning and Building Department Staff  
Rec'd prior to the meeting & posted on: August 5, 2013



August 1, 2013

Ms. Kami Griffin  
Assistant Director  
Department of Planning and Building  
County of San Luis Obispo

Dear Ms. Griffin:

Thank you for agreeing to meet with members of the Paso Robles Wine Country Alliance Government Affairs Committee today to discuss the Urgency Ordinance options covering the Paso Robles Goundwater Basin as outlined in the Planning and Building Department staff report prepared for the August 6 Board of Supervisors meeting.

For purposes of today's discussion, we want to address options in the staff report that are of particular concern to our members.. This is not an exhaustive list but a starting point for discussion.

II.A.1. Prohibit new or expanded crop production involving an irrigation source from the Basin

II.A.2. Prohibit conversion from dry farm/grazing to new irrigated crop production.

IV.1.c. Water permit will set limits on water use.

VI.A.1. Prohibit all new agricultural ponds during the life of the urgency ordinance.

The PRWCA Board has consistently supported the work of the Paso Robles Groundwater Basin Blue Ribbon Committee. In general, the adoption of urgency ordinances at this time challenges the ongoing process undertaken by the BRC, a broad based group of stakeholders which has been working in a unified way on solutions, the modeling update, and outreach and education.

We understand and share in the concern for responsible stewardship of the Basin. We recognize the need to work together to help those whose wells have dramatically declined. We also know that it will take time, money and unity to find long-term solutions that respect all users in the Basin and bring supplemental water to the Basin.

Again, thank you for your time and consideration of our input regarding the impact of the urgency ordinance options on our industry.

Sincerely,

  
Patricia Wilmore  
Government Affairs Coordinator

August 2, 2013

Kami Griffin  
976 Osos St.  
San Luis Obispo, CA 93408

Dear Kami,

I have read and studied the Paso Robles basin ground water study and report dated March 1979 conducted by the State Department of Water Resources and the county of San Luis Obispo. I also have read and studied the February 2011 ground water management plan.

In 1977 (a base data year for the 1979 study) there were 268,110 acres in dry land grain and grazing land in addition there were also 22,800 irrigated acres consisting of 12,500 acres of alfalfa, 2,100 acres of sugar beets, 3,800 acres of irrigated pasture, 2,900 acres of grapes and other irrigated crops. In 1977 these crops utilized 75,000 acre feet of water. All of these crops were irrigated by overhead sprinklers. That figures out to 3.3 acre feet per acre per year. Now fast forward to 2013; the face of agriculture has changed dramatically. The reported 36,000 acres of grapes utilize around 9/10 of acre feet of water and much less in many instances. This represents an annual total of 32,400 acre feet of water for grapes thus giving back to, or leaving in the aquifer 42,600 acre feet for other uses. Turning to the 2011 groundwater management plan the map shows the map of the Paso Robles groundwater basin, as defined by geologists of the California Department of Water Resources in 1958. The common substrata characteristics of the basin extend far north above Bradley to San Ardo. However even though the substrata is the same there are three sub areas totaling over 152,000 acres that do not interface with the Paso Robles or Estrella sub basin. These are the Bradley, North Gabilan and South Gabilan basins. As stated in the report all three of these sub basins drain into the San Antonio, Nacimiento and Salinas Rivers and flow north. These areas never have had any influence either positive or negative on the Paso Robles basin portion under discussion. Quote "The basin outlet is northwest and downstream of Bradley where it is hydraulically connected with the groundwater basin of the Salinas Valley."

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To the rural residential residents with shallow wells I would suggest you band together and explore the forming of a CSA or mutual water company instead of falling for the agenda driven political hype being fostered upon you. There are USDA funds available as well as other funding mechanisms to assist you in solving this problem.

Remember that the prime cause of the problem at hand is a prolonged drought in our area. Any ordinance proposed will do nothing to solve this dilemma. The problem has to be solved by the stakeholders themselves with all of them pulling together.

Sincerely,

Don Campbell  
5<sup>th</sup> District Planning Commissioner

August 2, 2013

Ms. Kami Griffin

Assistant Director, Planning and Building Department

[kgriffin@co.slo.ca.us](mailto:kgriffin@co.slo.ca.us)

RE Potential Urgency Ordinance re Paso Robles Groundwater Basin—your memo of 8/6/13

Dear Ms. Griffin:

As you may know the County of San Luis Obispo is a party to the PRIOR Agreement with the City of Paso Robles and numerous overlying landowners in the Paso Robles Basin, dated August 19, 2005, a copy of which is attached. This Agreement was an initial step to attempt to have the County, City and overlying landowners coordinate efforts regarding groundwater matters in the Basin and hopefully avoid the need for litigation.

We call your attention to paragraph 4.a which provides the Landowners and Municipal Users (which includes the County) shall participate in good faith in forums involving monitoring and evaluation of groundwater conditions in the Basin. Furthermore, it provides in developing and plans or programs, the San Luis Obispo County Flood Control and Water Conservation District or other public agency with jurisdiction over the Basin (such as the County) "shall facilitate, to the extent reasonable possible, the participation of other overlying owners within the Basin who are not parties to this Agreement."

We believe consideration of a proposed Urgency Ordinance as outlined in your memorandum, without consulting with PRIOR in its formulation, violates the letter and spirit of the PRIOR agreement. As your memorandum acknowledges the staff has not had time to interact with various stakeholders in the Basin and if the schedule is pursued as tentatively outlined by your Board you will not have time for any such interaction. This not only is an unacceptable way to develop an ordinance that could significantly affect the economy of the North County region, but also a potential breach of the PRIOR Agreement.

We insist, consistent with the PRIOR Agreement, that the Board of Supervisors postpone consideration of the proposed Urgency Ordinance in order to provide an opportunity for all stakeholders, including PRIOR, to work with the staff in order to consider more effective and equitable options.

Very truly yours,

Kent C. Gilmore



Designated Agent of Landowners under PRIOR Agreement

Cc: Board of Supervisors

RECORDING REQUESTED BY &  
WHEN RECORDED RETURN TO:

**PASO ROBLES GROUNDWATER BASIN AGREEMENT**

This Agreement is entered into this 19<sup>th</sup> day of August, 2005, by and between the landowners identified in Exhibit "A" hereto ("Landowners"), the City of El Paso de Robles ("Paso Robles") and the County of San Luis Obispo ("County") acting solely for and on behalf of its Service Area No. 16 ("Service Area 16") (collectively referred to as "Municipal Users"); and the San Luis Obispo County Flood Control and Water Conservation District ("District") acting solely as technical advisor to the Landowners and Municipal Users.

WHEREAS, the Landowners own certain lands overlying the Paso Robles Groundwater Basin ("Basin"), principally used for agricultural purposes, and have been exercising or in the future may exercise overlying groundwater rights by using groundwater on such lands; and

WHEREAS, Paso Robles operates certain wells to supply its residents and businesses within its boundaries principally for domestic, municipal and industrial purposes, by exercising appropriate groundwater rights; and

WHEREAS, Service Area 16 operates various wells to supply its residents and businesses with water primarily for domestic, municipal, and industrial purposes, by exercising appropriate groundwater rights; and

WHEREAS, Landowners wish to preserve their overlying groundwater rights without Municipal Users developing or asserting a prescriptive groundwater right should the groundwater basin ever be in a condition of overdraft; and

WHEREAS, the parties wish to reach an amicable solution with respect to administration and management of groundwater within the Basin and avoid potential litigation; and

WHEREAS, the parties acknowledge that monitoring, appropriate management of existing Basin supplies and/or bringing additional water resources to the Basin could delay or even avoid entirely the Basin becoming overdrafted in the future; provided however, the parties wish to preserve their rights with respect to their respective groundwater rights notwithstanding implementation of any management measures; and

WHEREAS, the parties recognize that Landowners, Paso Robles and Service Area 16, even combined, represent a minority of the pumping which occurs within the Basin, and that none of them has control over other overlying landowners or others pumping groundwater for residential, municipal, or industrial uses from the Basin, and therefore the parties will structure this Agreement such that other overlying landowners and/or Municipal Users who wish to can be added as parties.

NOW, THEREFORE, the parties agree as follows:

1. **BASIN NOT IN OVERDRAFT**

The parties agree that, as against any other party to this agreement, they shall not assert that, as of the date of this Agreement, the Basin was in overdraft. As used herein, the term "Basin" means the Paso Robles Groundwater Basin (excluding the Atascadero Sub-basin) examined in the Paso Robles Groundwater Basin Study prepared for the District by Fugro West, Inc. and Cleath and Associates, dated August 30, 2002.

2. **LANDOWNERS NOT FILING ACTION**

As long as this Agreement is in effect, Landowners agree not to commence any action, such as declaratory relief, quiet title or inverse condemnation action, that is intended to establish a priority of groundwater rights over Municipal Users. The foregoing shall not preclude any Landowner or Municipal User from commencing an action alleging unreasonable pumping interference to enjoin or curtail pumping in a particular location against persons in the immediate vicinity; provided that any such action shall not affect the

groundwater rights of the parties, but shall only affect the manner of use of such rights, and such action shall not terminate this Agreement.

**3. PROCEDURE FOR TERMINATING AGREEMENT AND DECLARING BASIN TO BE IN OVERDRAFT**

No Municipal User may, as against Landowners, commence any declaratory relief action, groundwater adjudication or other action affecting groundwater rights, or take a position in any judicial or administrative proceeding that the Basin is in a condition of overdraft and that any prescriptive period to establish a prescriptive right has commenced, until and unless that Municipal User has complied with the following procedures:

- a. The District has made a determination based on published studies that the Basin is in a condition of overdraft.
- b. The Municipal User, following a noticed public hearing, adopts a resolution that includes appropriate findings and determinations, declaring that it agrees with the determination described in Article 3.a above and electing to terminate this Agreement pursuant to this provision. The Municipal User shall give advance notice of the hearing by delivering written notice to Landowners' agents designated in Article 8 at least 20 days before the hearing, and by publishing a notice in a newspaper of general circulation published in the County once a week for 2 consecutive weeks, with the first publication occurring at least 20 days prior to the hearing. Until such a resolution is adopted, the Municipal User shall be precluded from asserting that any prescriptive period has commenced to run as against Landowners. This Agreement shall be deemed terminated upon final adoption of such a resolution and no further notice need be given to Landowners or other Municipal Users.
- c. Nothing in this Agreement shall be deemed to require that any Municipal User must first proceed under this Article 3 before asserting at any time that the prescriptive period has commenced to run as against any party who has not as of that time entered into this Agreement.

d. The term of this Agreement shall be ten years from January 1 of the calendar year following the execution of the Agreement by the County of San Luis Obispo on behalf of the District, and shall automatically renew for additional successive terms of five years unless a Municipal User or the District provides written notice of non-renewal to the Landowners' designated agent and other Municipal Users at least four months prior to the termination date. Upon such termination, no Landowner or Municipal User may thereafter assert that a condition of overdraft commenced at any time prior to its termination.

4. **COOPERATION WITH GROUNDWATER MANAGEMENT ACTIVITIES**

a. Landowners and the Municipal Users shall each designate at least one person to participate in good faith in a committee or forum, should one be organized by the District or another public agency with jurisdiction to develop a plan or program ("Plan") for monitoring and evaluating groundwater conditions in the Basin. Such Plan shall include consideration of measures to avoid a condition of overdraft. In developing and implementing any such Plan, the District or another public agency with jurisdiction over the Basin shall facilitate, to the extent reasonably possible, the participation of other overlying owners within the Basin who are not parties to this Agreement.

b. This Agreement does not obligate or require any public agency with jurisdiction over any part of the Basin to adopt a groundwater management plan under California Water Code §10750, et seq. (commonly known as "AB 3030"), or under similar laws, nor to adopt an ordinance to regulate groundwater use within the Basin under its police power, if applicable. Conversely, nothing in this Agreement restricts or otherwise limits any public agency with jurisdiction from adopting such a groundwater management plan or ordinance. Nothing in this Agreement, however, shall be deemed to be a waiver by Landowners or any other party of their rights to comment upon or otherwise challenge the adoption of such plan or ordinance.

c. Landowners and Municipal Users shall cooperate with the District to maintain the existing program to monitor groundwater levels and water quality within the Basin and related water resources, and encourage others to cooperate to expand such program, including the installation of additional monitoring wells, to the extent the parties through the process referred to in Article 4 deem it necessary to carry out the purposes of this Agreement. Nothing in this Agreement shall require the District to expand its existing program of monitoring without its consent.

5. **FAILURE TO PARTICIPATE IN GROUNDWATER MANAGEMENT ACTIVITIES**

Should any party to this Agreement fail to participate in the activities described in Article 4, at the option of any other party, this Agreement will be deemed terminated as though terminated under Article 3, if the party failing to participate does not cure the deficiency and participate in the process following 45 days' written notice to cure such deficiencies; provided that, prior to termination of this Agreement for failure to participate in Article 4 activities, the parties shall submit the matter to mediation as described in Article 11 below; and provided further, however, that repeated failure to participate in Article 4 activities (more than one-third of scheduled meetings in a two-year period) shall relieve the participating party of the obligation to mediate prior to termination of the Agreement. Should the parties be unable to reconcile any differences with respect to such lack of participation after good faith effort (including mediation, if provided for above), this Agreement may be terminated on 20 days' written notice to the other party's representatives. Notwithstanding the foregoing, the time within which Municipal Users have to cure deficiencies related to financial obligations shall be nine months from the date of notice.

6. **COSTS**

Each of the parties shall bear their respective costs of participation in this Agreement, including the activities described in Article 4; provided, however, nothing in the Agreement shall be deemed to require a party to share in the cost of preparing a

groundwater management plan, including costs of outside consultants' work on such plans described in Article 4.b, absent a separate written agreement to do so.

**7. RESERVATION OF RIGHTS**

Each of the parties to this Agreement reserves all its respective rights, except as specifically limited by this Agreement. With respect to any declaration of groundwater rights or adjudication of same as among and between the parties hereto, this Agreement is intended solely to address when the prescriptive period would start to run as between Landowners and Municipal Users. If any person who is not a party to this Agreement (or does not become a party in the future, in accordance with Article 9) commences an action to declare or adjudicate groundwater rights within the Basin, or that could affect the groundwater rights of any party, any party may terminate this Agreement by providing 20 days' written notice to the other parties, the effect of which shall be that this Agreement is terminated, as though terminated under Article 3.b.

**8. DESIGNATION OF LANDOWNER AGENTS/NOTICE**

All notices required to be sent under this Agreement shall be in writing, sent via First Class U. S. Mail and shall be deemed delivered three days after depositing in the mail, unless otherwise specified by this Agreement:

PASO ROBLES:     City Manager  
                          City of Paso Robles  
  
                          Paso Robles, CA 93446

COUNTY:            Director of Public Works, County of San Luis Obispo  
                          County Government Center  
                          San Luis Obispo, CA 93408

LANDOWNERS:     The three initial agents designated by Landowners to receive  
notice as herein provided are:

Stephen J. Sinton,  
c/o Canyon Ranch  
P. O. Box 112  
Shandon, CA 93461

Kent Gilmore

Paso Robles, CA 93446

Walter Nielsen  
c/o Twist Ranches

Paso Robles, CA 93446

Landowners may change their designated agents at any time in a manner agreed to among the Landowners. Should any of the agents resign, die or otherwise become incapacitated, the remaining agents may appoint a replacement, and shall promptly notify Municipal Users in the manner herein prescribed.

Landowner Agents designated in the Agreement, and not the Municipal Users, are responsible for keeping all Landowners advised of matters related to this Agreement.

**9. ADDITIONAL PARTIES**

Additional overlying landowners or additional parties purveying water for domestic or municipal and industrial purposes may desire to become a party to this Agreement. To provide for the orderly administration of additional parties, the following procedure shall be utilized:

- a. If an overlying landowner within the Basin desires to be added as a Landowner under this Agreement, the landowner shall execute and have acknowledged the "Addition of Overlying Landowner to Agreement" form attached hereto as Exhibit "B", which shall become effective when accepted by the then existing Landowner Agents designated in Article 8 and without any action by Municipal Users. Landowner Agents will accept an Addition form unless the new Landowner refuses to reimburse a reasonable, fair share of Landowners' costs incurred as determined by the existing Landowners. Upon acceptance, Landowner Agents shall provide a copy of each Addition form to every Municipal User. The effect of acceptance is that the new landowner henceforth will be bound by this Agreement, as though the new landowner had executed it originally.

b. If a purveyor of water for domestic or municipal and industrial purposes desires to become a Municipal User under this Agreement, it shall execute a form entitled "Addition of Municipal User to Agreement" attached as Exhibit "C", which shall become effective when accepted by a majority of the then existing Municipal Users. Notice of the acceptance shall be delivered to Landowners' agents.

**10. WITHDRAWAL OF LANDOWNER PARTIES**

Any Landowner may withdraw from the Agreement at any time by giving notice to the other parties as provided in Article 8 and recording a Notice of Withdrawal as set forth in Exhibit D. Upon withdrawing from the Agreement, the rights of the withdrawing overlying Landowner and the Municipal Users shall be the same with respect to that Landowner as if the Landowner had never been a party to this Agreement. In this event, this Agreement shall be deemed an offer to compromise under California Evidence Code Section 1152. The withdrawal of a Landowner shall not affect the rights and obligations of the remaining parties to this Agreement with respect to each other and the Agreement shall remain in full force and effect with respect to those remaining parties.

**11. MEDIATION**

Should a disagreement arise regarding the interpretation or implementation of this Agreement, the party asserting the dispute shall give written notice to the other parties involved in the dispute. Those parties shall submit the matter to a mediator mutually acceptable to those parties within 30 days. If the dispute cannot be resolved within 90 days of the original notice of the dispute, any of the parties is free to pursue resolution of the dispute through a court of competent jurisdiction as otherwise provided by law.

**12. MISCELLANEOUS**

a. This Agreement shall constitute a covenant running with all of each Landowner's lands within the Basin, and all such lands shall be described in Exhibit "A". The benefits and burdens of this Agreement shall bind each successive owner of said lands, or portion thereof, and every person having or who may acquire an interest in said lands. Landowners may record an executed copy of this

Agreement in the San Luis Obispo County, California Official Records. If recorded, the parties agree they do not need to record any notice of future amendments of this Agreement, and any such amendments will be fully effective as though notice were recorded. In the event of termination of this Agreement for any reason, any party may execute and record a Memorandum of Termination in substantially the form in Exhibit "D".

b. Waiver of any provision of this Agreement shall not be effective unless such a waiver is made expressly in writing. Express waiver of any one breach shall not be deemed a waiver of any other breach of the same, or any other provision of this Agreement.

c. The language of all parts of this Agreement shall in all cases be construed as a whole, according to its fair meaning, and not strictly for or against any party. No presumptions or rules of interpretation based upon the identity of the party preparing or drafting the Agreement, or any part thereof, shall be applicable or invoked.

d. This Agreement shall be governed by and construed in accordance with the laws of the State of California.

e. This Agreement constitutes the entire agreement among the parties and supercedes all prior understandings or agreements with respect to its subject matter.

f. This Agreement shall not be altered, amended, modified or otherwise changed, except in writing duly executed by the Landowner Agents designated in Article 8, and by each Municipal User; provided that nothing in this Article shall be deemed to limit the provisions of Article 9 regarding the process for adding additional parties.

g. This Agreement may be executed in counterparts, which taken together shall constitute an original. Execution of the document referred to in Article 9 by an additional party shall be deemed that party's execution of a counterpart of this Agreement.

h. The provisions of this Agreement shall apply to and bind the successors and assigns of the parties hereto.

IN WITNESS WHEREOF, this Agreement is executed and agreed to by the parties as of the date set forth above.

**LANDOWNERS:**

DRY CREEK CORP.

BY:   
ROBERT U. GALLO, CO-PRESIDENT

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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**PASO ROBLES:**

**BOARD OF SUPERVISORS,  
COUNTY OF SAN LUIS OBISPO,  
acting solely for and on behalf of  
SERVICE AREA 16 and the  
COUNTY OF SAN LUIS OBISPO  
FLOOD CONTROL  
AND WATER CONSERVATION  
DISTRICT:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**J. LOHR**  
VINEYARDS & WINES

August 4, 2013

County of San Luis Obispo  
Board of Supervisors  
1055 Monterey Street,  
Room D430  
San Luis Obispo, CA 93408

Dear Supervisors:

J. Lohr Vineyards and Wines ("J. Lohr") appreciates the opportunity to provide comment on the County of San Luis Obispo's ("County") proposed options for an Urgency Ordinance for the Paso Robles Groundwater Basin ("Basin") as contained in the staff report prepared by Kami Griffin, Assistant Director, Department of Planning and Building, dated August 6, 2013 ("Proposed Ordinance"). In an effort to provide meaningful input, J. Lohr has assembled and has worked with a team of landowners, farmers, engineers, well drillers, and other professionals with extensive experience and knowledge of the Basin, some of whom sit on the County's own Water Resources Advisory Committee and Blue Ribbon Committee. The purpose of the team has been to identify the problems facing the Basin and begin developing solutions that could make both a short-term difference for those individuals experiencing well problems, as well as interim and long-term solutions for managing the Basin. The following comments and recommendations are the result of numerous face to face meetings and conference calls with the team, other stakeholders, and County staff that have taken place since July 27, 2013 when the staff report was made available on the County's website, and also reflect the decades of experience the team has in the Basin.

### Overview

Rural landowners who have made significant investments in land and agricultural operations rely on the land and groundwater for their livelihood. These landowners understand the need to manage their resources in a sustainable manner. J. Lohr and others in the County are committed to responsible environmental stewardship and must be part of the solution. In order to avoid alienating the very landowners that the County needs to partner with in order to maintain a sustainable environment and economy, more time must be provided for stakeholder input. In the interim, the County should focus its energy and resources on providing assistance to the property owners with wells that are too shallow to pump groundwater. Adopting a version of the Proposed Ordinance in the next few weeks will not have any impact on groundwater levels, will not assist those who are in need of potable water, will not provide for a long-term sustainable solution, and will alienate the landowners that will be most impacted by the Proposed Ordinance. The concept of sustainability is not limited to environmental considerations but must also take into consideration the people that depend on the environment, and economic factors. Without all three components included in the process and allowed input there can be no sustainable solution.

### Short-Term Solutions

It is acknowledged that a limited number of rural residential homeowners are experiencing groundwater problems that the County should be proactive in addressing. However, it is less clear how the Proposed Ordinance provides any solution for these rural residential homeowners. Accordingly, the Board of Supervisors ("Board") is urged to consider the following less burdensome and solution-oriented options to address the immediate need of the rural residents and allow for additional time for stakeholder input on a more comprehensive solution:

- Water Delivery for Dry Wells

Rural residents who are experiencing groundwater levels that are below the bottom of the well screen may request potable water delivery to a water storage tank on their property. The logistics of this delivery may include, but is not limited to, the following:

- A rural resident shall contact the County Public Works Department to report their well is incapable of pumping water because the water table has fallen below their well screen.
- An employee of the County, likely from the Utilities Division of the Public Works Department or an agent of the department, will visit the well and verify the situation. The employee or agent will verify that the rural resident has a water storage tank to take delivery of potable water. If not, the rural resident is obligated to have a water storage tank installed at their residence and plumbed, including all appurtenances, into the home's plumbing system.
- The rural resident will be given information as to whom they may consider to contact for water delivery. The rural resident will be responsible for monitoring their water level within their tank and making arrangements for all water deliveries. The rural resident will also be responsible for making payments to the water delivery company.

Feasibility: Bow Valley Agri-Land Services is licensed to make potable water deliveries. Loomis Tank has been contacted and has commented that they have tanks to sell or lease to rural residents. Atascadero Mutual Water Company can work with the San Luis Obispo County Flood Control and Water Conservation District ("District") to make potable water available to the trucking company in exchange for an equal volume of Nacimiento Water Project (NWP) water to be delivered to their NWP turnout.

- Common Well for Up to Four Residents

Community well systems of five or more residents are regulated by the County via the Health Department. Four or fewer residents can share a single well by entering into an agreement with each other and do not need permit approval from the County. The form of the agreement between the four or fewer rural residents is completely the business of the entities sharing the well.

Feasibility: The County should provide a sample/template agreement for residents to utilize and post it to the County's Public Works Department's web site. The plumbing cost of the common well to the participating residents is the obligation of the residents. The operating costs of the common well are also the obligation of the residents.

- County Service Area (Interim Solution)

A County Service Area ("CSA") is a zone of benefit that is established by the Board and administered by the County Public Works Department over an unincorporated area of the County. Typically the organization of a CSA begins when a group of residents begins a grassroots effort to ask the County for assistance in a public works issue, such as water supply, wastewater collection and treatment, roads, etc. Classic locations where a CSA is beneficial often occur in areas that are subdivided into small compact lots. For example, Santa Margarita has a CSA for water supply. Currently there are several areas overlying the Paso Robles Groundwater Basin that are subdivided, examples of which are the Jardine area, Geneseo Area, and Almond Drive/El Pomar area. Ground Squirrel Hollow is also a subdivided region, and it has already organized a County Service District ("CSD") for road maintenance and has the authority to include water supply.

The Board can direct staff to organize meetings in the subdivided regions of the North County that overly and rely on the Basin for their water supply, and explain to and educate the residents on the benefits associated with a community water system.

Feasibility: The CSA water system approach would be less costly than installing and operating individual wells. It is estimated that a new well costs at least \$25,000. The following is an economic evaluation of the installation of a square mile of a water system in a subdivided area:

- Length of distribution pipe, 6-inch diameter = 25,000 feet. At \$60/foot, the capital cost = \$1,500,000.
- Install two wells, 1000-feet deep. Capital cost = \$1,200,000.
- One 1-million gallon water tank. Capital cost = \$1,000,000.
- Summation of these costs is \$3,700,000 – round this to \$4,000,000.
- Amortized for 30 years at 6.5% = \$306,000 per year.
- Based on subdivision densities observed, there are about 250 parcels per square mile; therefore, the capital cost payment per year per parcel is \$1,224, or \$100 per month.
- The present value of this 30-year payment schedule is about \$15,000, or \$10,000 less than each parcel installing a well.

The operation and maintenance ("O&M") costs have been estimated at \$40 per month based on historical data from the Atascadero Mutual Water Company. A CSA's O&M costs should be less than those of a mutual water company because the County already has the infrastructure and the employees in place to operate a CSA, including County Counsel for legal advice; accounting and billing via the Accounting Division of the Public Works Department; and water workers via the Utilities Division of the Public Works Department.

During this current situation the Board should have authority to fast-track progress on the environmental permitting, design, and construction of a system to deliver water to these residents. Our estimate would indicate that a CSA system in Jardine, for example, could be installed and providing water within 12 to 15 months from now given the authority and emergency drought situation that we are experiencing.

### Long-Term Solutions

The long-term solutions that are being proposed by groups such as the Paso Robles Agricultural Alliance for Groundwater Solutions ("PRAAGS") provide the opportunity for the County to proactively address the current situation in a manner that is less burdensome on the County's economy and more likely to avoid costly litigation by those landowners who will feel as though they must protect their property rights. A solution-oriented approach will result in both short-term tangible action to address the immediate threat to affected rural residential property owners and long-term projects to provide essential access to available surface water resources from the State Water Project and Nacimiento Water Project.

### Stakeholder Involvement

- Inadequate Public Notice

The Board must allow more time for stakeholder involvement and not rush to judgment without the input of those that will be most impacted by the Proposed Ordinance. It is necessary that the Board acknowledge that in the best case it failed to provide reasonable notice to the public and in the worst case it acted in violation of the Brown Act (California Government Code Sections 54950 *et seq.*). The Board did this by entering into substantive discussions and giving directions and deadlines to staff for the preparation of the options for the proposed ordinance for the Basin without legal notice or including it in the Board's agenda. As a result, stakeholders were not provided the necessary legal notice that would have allowed them to participate in the discussion that led to the Board prematurely directing its staff to "bring back options for an Urgency Ordinance within the Paso Robles Groundwater Basin..." (see Staff Report from Kami Griffin, Assistant Director, Department of Planning and Building, dated August 6, 2013). Accordingly, we respectfully request that the Board provide for additional time to allow stakeholder involvement in the discussion of changes to the proposed ordinance that address the concerns of the agricultural community and others, and provide both short-term and long-term solutions.

- Stakeholder and Advisory Committee Involvement

The Board has not provided for adequate input from the County's own Water Resources Advisory Committee ("WRAC"), Blue Ribbon Committee for the Paso Robles Groundwater Management Basin, or stakeholders. This is troubling since these advisory committees were established by the County for the specific purpose of advising the Board on policy decisions related to water resources and coordinating with the

stakeholders in the management of the Basin, respectively.<sup>1</sup> The need for additional input and involvement of the advisory committees and stakeholders is also supported by the fact that the management of the Basin is a complicated issue that has been the topic of more than 14 technical studies since 2002 conducted at considerable County expense. It would be irresponsible for the Board to adopt a groundwater ordinance without availing themselves of the recommendations and expertise that the advisory committees have spent considerable time and effort developing.

### Urgency Ordinance Alternatives

The adoption of an interim ordinance as an urgency measure is subject to the procedures outlined in California Government Code Section 65858. Those procedures, among other requirements, prohibit the Board from adopting the Proposed Ordinance unless it makes the following legislative findings:

- There exists a current and immediate threat to the public health, safety, or welfare; and
- The approval of additional subdivisions, use permits, variances, building permits, or any other applicable entitlement for use which is required in order to comply with the zoning ordinance would result in that threat to public health, safety, or welfare. (California Government Code Section 65858(c).)

It is acknowledged that the situation that a limited number of rural residential homeowners are experiencing is one that can result in a threat to the health, safety, or welfare for those rural residential homeowners. Based on the information that has been made available by County staff as of the date of this letter, there appears to be only approximately 15 impacted wells and even this small number has not been investigated to accurately characterize the nature of the problem. Further, the Proposed Ordinance does not provide any solution for these rural residential homeowners. Accordingly, the Board is urged to consider the less burdensome and solution-oriented options that are being proposed here in this letter and by groups such as the Paso Robles Agricultural Alliance for Groundwater Solutions. A solution-oriented approach will result in both short-term tangible action to address the immediate threat to affected rural residential property owners and long-term projects to provide essential access to available surface water resources from the State Water Project and Nacimiento Water Project.

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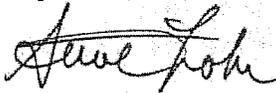
<sup>1</sup> **WRAC Purpose Statement:** To advise the County Board of Supervisors concerning all policy decisions relating to the water resources of the SLO County Flood Control & Water Conservation District. To recommend to the Board specific water resource programs. To recommend methods of financing water resource programs. **Blue Ribbon Committee Mission Statement:** The Blue Ribbon Committee for the Paso Robles Groundwater Basin Management Plan will coordinate with stakeholders to implement the Groundwater Management Plan to ensure the health of the basin.

**Conclusion**

J. Lohr encourages the Board to not adopt the Proposed Ordinance in its current form and allow for more time for meaningful input from the advisory committees and stakeholders to craft a solution that moves the County forward and protects our valuable groundwater resource. Adopting a version of the Proposed Ordinance in the next few weeks will not have any impact on groundwater levels, will not assist those who are in need of potable water, will not provide for a long-term sustainable solution, and will alienate the landowners that will be most impacted by the Proposed Ordinance. We urge the County not to create additional bureaucracy that detracts from or takes resources that would otherwise go towards implementing short-term and long-term sustainable solutions. We continue to look into the issues including concerns regarding our legal rights that could be threatened by an overreaching ordinance and reserve the right to offer additional comments.

Thank you for your consideration.

Respectfully submitted,



Steve Lohr

Executive VP/COO Vineyards

J. Lohr Vineyards & Wines



**More correspondence for 8/6**  
**Fran Zohns** to: cr\_board\_clerk Clerk Recorder

08/05/2013 11:06 AM



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Fran Zohns  
Board of Supervisors  
San Luis Obispo County  
(805)781-5450



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August 2, 2013

AUG - 5 2013

San Luis Obispo, Board of Supervisors  
Room D-430, County Government Center  
San Luis Obispo, California 93408

Board of Supervisors  
San Luis Obispo County

Dear Supervisors,

Your board will soon be hearing about proposed urgency ordinances that will have a major impact on agricultural viability and, most likely, no impact on groundwater levels for most rural residents.

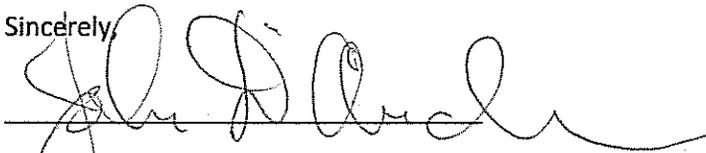
The proposed ordinances will affect all irrigated agriculture in the Paso Robles Groundwater Basin (PRGB). If some are adopted, especially the ban on all irrigation methods other than drip (by the way – you really mean micro-irrigation, not just drip) even for frost protection, you will effectively end the production of hay and permanent pasture as well as many other vegetable and field crops. The few golf courses that overly the basin would also go out of business if this ban is imposed. Additionally this ban regarding frost protection will render many vineyards too risky to farm, and they will eventually go out of business.

The proposed ordinances do not affect non-agricultural water use, and this may actually be most of reason for declining groundwater levels. Since 1981, Ag water use has fallen by almost 40 percent where as Non-Ag water use has increased by nearly 250%, Yet Ag is blamed for all of the problems.

Finally, the proposed ordinances do not affect the incorporated portions of the north county. The City of Paso Robles water use has increased markedly over the past decades and many of their domestic water supply wells are in the area of the basin experiencing the greatest groundwater level declines.

We encourage you to reject these proposed ordinances that are punitive to agriculture, which is the major economic driver in the north county. Something needs to be done to help supply water to rural residents but this issue has been decades in the making and a carefully reasoned and well thought out plan needs to be developed and implemented. We do not need to “just do something” that will most likely have no effect on the real problem.

Sincerely,



John D'Andrea  
PO Box 370  
San Miguel, CA 93451

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August 2, 2013

AUG - 5 2013

San Luis Obispo, Board of Supervisors  
Room D-430, County Government Center  
San Luis Obispo, California 93408

Board of Supervisors  
San Luis Obispo County

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Finally, the proposed ordinances do not affect the incorporated portions of the north county. The City of Paso Robles water use has increased markedly over the past decades and many of their domestic water supply wells are in the area of the basin experiencing the greatest groundwater level declines.

We encourage you to reject these proposed ordinances that are punitive to agriculture, which is the major economic driver in the north county. Something needs to be done to help supply water to rural residents but this issue has been decades in the making and a carefully reasoned and well thought out plan needs to be developed and implemented. We do not need to “just do something” that will most likely have no effect on the real problem.

Sincerely,



Kathy D'Andrea  
2651 Pine Hawk Way  
San Miguel, CA 93451

**NINER**  
WINE ESTATES

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Jason Yeager

Paso Robles, CA 93446  
August 2, 2013

Honorable Bruce Gibson  
San Luis Obispo County District 5 Supervisor  
1055 Monterey Street, Suite D430  
San Luis Obispo, CA 93408

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AUG - 5 2013

Board of Supervisors  
San Luis Obispo County

Dear Bruce Gibson:

I want to take this opportunity to voice my concern over the possible adoption of an emergency urgency ordinance of the Paso Robles groundwater basin being considered this Tuesday August 6<sup>th</sup>.

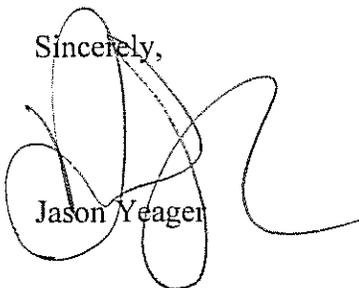
I am a vintner and a resident of Paso Robles. I am very concerned about the basin like everyone else. It is the life blood of not only my business, but also my family. Without water, life as we know it does not exist. This is a serious issue that needs to be studied by experts with proper working solutions as the end product. A water district needs to be formed that can steer this process along efficiently. In my opinion, PRAAGS (Paso Robles Agricultural Alliance for Groundwater Solutions) has the best ideas on how to form this proposed district.

Therefore, I recommend replacing of the urgency ordinance and replace it with a long term plan that will work for all stakeholders in the basin. The urgency ordinance as drawn up will not solve this problem and will effectively put our many agricultural operations out of business, resulting in the elimination of many jobs held by local citizens. It would also mean the elimination of precious tax dollars coming into the county coffers. There are solutions out there and we are willing to play an active part in it. All of us just need to let cooler heads prevail and give the experts a chance to come up with practical solutions.

I also know that there are neighbors in rural areas that need immediate help. This can be provided by the community and the local government. Neighbors helping neighbors is a much better way to solve problems than the implementation of a very harmful law that helps no one.

Destruction of a responsible industry such as ours is unacceptable. Our farming practices as an industry are the most cutting edge for water efficiency in the world. Please vote no on the proposed urgency ordinance and yes to the formation of a water district that will come up with solutions that work.

Sincerely,



Jason Yeager



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Board of Supervisors  
San Luis Obispo County

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August 1, 2013

Supervisor Bruce S. Gibson, District 2  
County of San Luis Obispo  
County Government Center, Room D-430  
San Luis Obispo, California 93408

Dear County Board of Supervisor Bruce S. Gibson;

I am writing to urge you to oppose implementation of the proposed Urgency Ordinance as presented by the Department of Planning and Building without further testimony from various stakeholders in the Paso Robles Basin.

My family has been California farmers for over 100 years and over 30 years in Paso Robles. We agree that everyone including the cities need to be involved in solutions for the health of the basin. We must take into consideration the balance of preserving the viability of agriculture and the quality of life for all overlying landowners. We all enjoy our rural agricultural environment and thus we must all work together in defining equitable solutions for all users of the Basin.

I urge you allocate more time into this very important decision, agriculturists have provided an economically viable and thriving community and accepts its responsibility to help lead in the solving of the water balance issue. The Paso Robles Agricultural Alliance for Ground Water Solutions (PRAAGS) represents agriculturists ranging from small vineyards to large ranches and is already moving forward give them a seat at the table to come up with a solution that works.

Please do not pass this ordinance but instead provide the structure to work cooperatively to stabilize, preserve and maintain a sustainable groundwater supply.

Respectfully

Louise Ravera Balma  
California Farmer

Paso Robles, California, 93446

Agenda Item Number: 27  
Meeting Date: August 6, 2013  
Presented By: Board of Supervisor Secretary - F. Zohns  
Rec'd prior to the meeting & posted on: August 5, 2013

Aug. 1, 2013

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Supervisors

AUG - 5 2013

Frank Meecham  
Debbie Arnold  
Bruce Gibson  
Adam Hill

Board of Supervisors  
San Luis Obispo County

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Dear Sirs and Madam,

Though I doubt this plea will do any good, because low growth doesn't enable job security does it? I'll write anyway to ask for some simple fairness for the little guy.

I would imagine taxes received from vineyards far surpass those from non-business owning citizens. Does that justify their disproportionate use of an extremely limited water supply? No. Is it equitable? No.

With every new or expanding winery you deplete the water table for everyone. Couldn't you try once to govern **PRO**actively instead of **RE**actively? Just be decent.

Thank you,



Wendy & Jame Stormes

PROWATER.ORG  
SAVEOURWELLS

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DATE: Friday, August 02, 2013

TO: Frank Mecham  
District 1 Supervisor

✓ Bruce Gibson  
District 2 Supervisor

Debbie Arnold  
District 5 Supervisor

Adam Hill  
District 3 Supervisor

AUG - 5 2013

Board of Supervisors  
San Luis Obispo County

San Luis Obispo County Board of Supervisors  
County Government Center  
1055 Monterey Street, Room D430  
San Luis Obispo, CA 93408

SUBJECT: Adoption of the Urgency Ordinance covering the Paso Robles Groundwater Basin,  
Districts 1, 5 scheduled for 08/06/2013

Mr. Gibson,

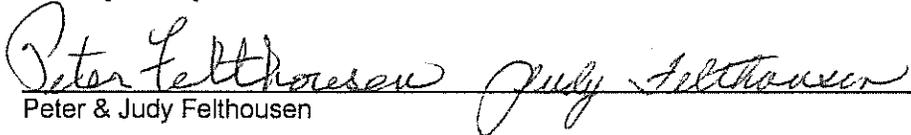
We are requesting that you vote to deny approval and implementation of this Urgency Ordinance related to the Paso Robles Groundwater Basin..

We understand that there are problems regarding the water consumption in the North County. However, we feel that the agriculture industry is being unfairly singled out and portrayed as the main cause of these problems. However, over the years, in addition to the changes in crops planted, there has been an increase in population plus a significant lack of rainfall in recent years.

As the owners of a small olive orchard and producers of extra virgin olive oil, we believe our property rights and the ability to maintain our orchard would be severely restricted if this Urgency Ordinance is passed.

Instead of an Urgency Ordinance, we support an organized approach to find ways to balance available water resources within the Paso Robles Basin with long term solutions to support our communities and economy. All property owners should be stakeholders so that everyone has a responsibility for finding and implementing a permanent ground water basis solution. This may require interim remedies to allow land owners the time required to make changes. This would obviously require the cooperative efforts among the many parties involved.

Thank you for your consideration of this matter.

  
Peter & Judy Felthousen

Pomar Ridge Olive Farm

Templeton, CA 93465

file

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AUG - 5 2013

*Cheryl A. Parkin*

Paso Robles, CA 93446

Board of Supervisors  
San Luis Obispo County

EACH SUPERVISOR  
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August 2, 2013

Frank Mecham  
SLO County Board of Supervisors  
Room D-430  
San Luis Obispo, CA 93408

Dear Frank,

I am writing to you because of my concern about the future of the Paso Robles Groundwater Basin. We all recognize the existence of a serious problem concerning the current over drafting of this crucial water supply. I have been following and studying the various proposals being put forth for discussion as we, the residents of the North County, strive to decide the future use and control of this critical basin. That said, I am adamantly opposed to the formation of a California Water District. One acre one vote, as stated in Proposition 218, would place control of our water in the hands of the largest property owners, many of whom do not choose to live in the North County. All property owners need to share this control.

I am a fourth generation, Paso Robles native. My ancestors arrived here in the 1880's and were very successful dry farmers in the Oak Flat region for many decades until the late 1900's. My husband and I moved back to Paso Robles after college because we wanted to raise our family in Paso Robles and give them roots in a place that we all love. I own sixty-nine acres northeast of the city limits. Our goal has always been to enjoy our property and preserve it for our children who would all like to return to Paso Robles some day. They all understand that the property will be theirs and for their use in the future. That future is now threatened!

Through the years, we have dry farmed our acreage with about 10 acres put into alfalfa many years ago. As PG&E prices rose, irrigating alfalfa was not cost effective on such a small scale so we only dry farmed oat hay and raised some cattle to supplement our jobs. We were able to give our children the childhood we had hoped for. I am now a widow and trying to be a good steward of this land. I want my grandchildren to be able to summer here on the farm and experience life much as their parents did.

I want control of my land and my share of the water. Again, I state that I am adamantly opposed to the formation of a California Water District. Having read through Proposition 218, I understand that my small vote would be drowned out by the much bigger land owners. Local control of our vital resource, our water, would fall into the hands of persons who have no roots here and, in many cases, do not even reside in the North County. My ancestors settled this North County, tended it carefully and left it to us, their descendents, to continue their practices. We are bound to consider the best use and future direction of our precious resource, our water, and then act in good faith.

I support an immediate moratorium on all new vineyard planting. I understand that this wouldn't apply to projects already underway but would stop, temporarily, new projects. Furthermore, when vineyards are replaced, I think it is prudent to limit the number of vines per acre allowing for greater spacing of the plants and, therefore, limit the water required to sustain/maintain them. As for our tourist industry, I don't think it follows that more vineyards bring more tourists. Proper management of the current vineyards should insure our tourist industry.....more is not better.

Water is life. Proper management of this limited resource will insure a happy and secure future for all of us that share in the Paso Robles Groundwater Basin. I urge you to consider the needs of every property owner. One man one vote insures that every voice is heard. One acre one vote casts the small property owner aside.

Thank you for your consideration in this matter.

Sincerely,

Handwritten signature of Cheryl A. Parkin in cursive script.

Cheryl A. Parkin

CC: Bruce Gibson  
Adam Hill  
Debby Arnold



**Fw: August 6, 2013 BoS hearing item #27**  
**Cytasha Campa** to: cr\_board\_clerk Clerk Recorder

08/05/2013 11:12 AM

Kindest regards,

# Cytasha Campa

Board Secretary

Board of Supervisors

San Luis Obispo County

805-781-4335

----- Forwarded by Cytasha Campa/BOS/COSLO on 08/05/2013 11:11 AM -----

From: Jan Seals <jan\_seals@sbcglobal.net>  
To: "bgibson@co.slo.ca.us" <bgibson@co.slo.ca.us>, "darnold@co.slo.ca.us" <darnold@co.slo.ca.us>, "ahill@co.slo.ca.us" <ahill@co.slo.ca.us>, "fmecham@co.slo.ca.us" <fmecham@co.slo.ca.us>  
Cc: "ccampa@co.slo.ca.us" <ccampa@co.slo.ca.us>  
Date: 08/02/2013 04:23 PM  
Subject: August 6, 2013 BoS hearing item #27

Dear Chairman Gibson & Supervisors,

**7,037%! In 40 years the acreage planted in wine grapes in SLO County has exploded by 7,037%! And it just keeps growing . . . and growing . . . and growing. Attached please find data on the over-expansion of the vineyards compared to the population growth in the county.**

The Paso Robles Groundwater Basin is already in overdraft, yet irresponsible vineyard owners are continuing to plant, exacerbating our water crisis. Our most precious resource is finite. I implore you to pass an Urgency Ordinance to stop this planting frenzy and help save our groundwater basin. You cannot allow the unbridled planting to continue, or we will become another dust bowl--a dust bowl made by some irresponsible vineyard owners.

This water belongs to all of us.

Respectfully,  
Jan Seals

Rural Resident, District



Population.vineyard growth PDF.pdf



grape vs population growth.pdf



grape vs population growth by%.pdf

## Statistics: Growth of Acreage in Wine Grapes vs. Population Growth in SLO County

*Data from The Tribune article "Wine and water: Deep trouble in the North County", June 16, 2013*

### Acres in vineyards in SLO County

1972 = 540 acres

1998 = 11,897

2012 = 38,000

1972 - 1998 = 2,203% increase in acreage in 26 years

1998 - 2012 = 319% increase in acreage in 14 years

**Total increase in acreage: 1972 - 2012 = 7,037% in 40 years**

---

*Data from the US Census bureau*

### Population of SLO County

1972 = 115,491

1998 = 240,020

2011 = 271,969

1972 - 1998 = 207% increase in population in 26 years

1998 - 2011 = 113% increase in population in 13 years

**Total population increase: 1972 - 2011 = 235% in 39 years**

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*Data from prcity.com/government/departments/commdev/housing/demographics*

*These dates are as close to the Tribune dates as the data provided.*

### Population of City of Paso Robles

1970 = 7,200 population

2000 = 24,300 population

2012 = 30,200 population

1970 - 2000 = 337.5% increase in population in 30 years

2000 - 2012 = 124% increase population in 10 years

**Total population increase: 1970 - 2012 = 419% in 42 years**

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*Data from County of San Luis Obispo*

*The Land Use and Circulation Elements of The San Luis Obispo County General Plan*

*El Pomar-Estrella Planning Area, Revised October 14, 2009*

### Rural population of the El Pomar-Estrella Planning Area

1980 = 4,320

2000 = 8,572

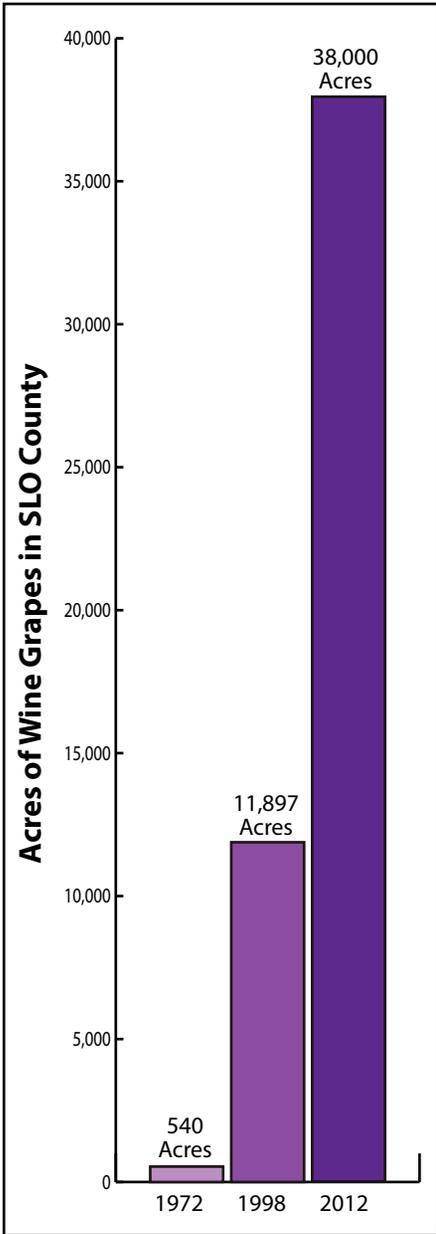
2010 projection approx. 10,760

1980 - 2000 = 198% increase in population in 20 years

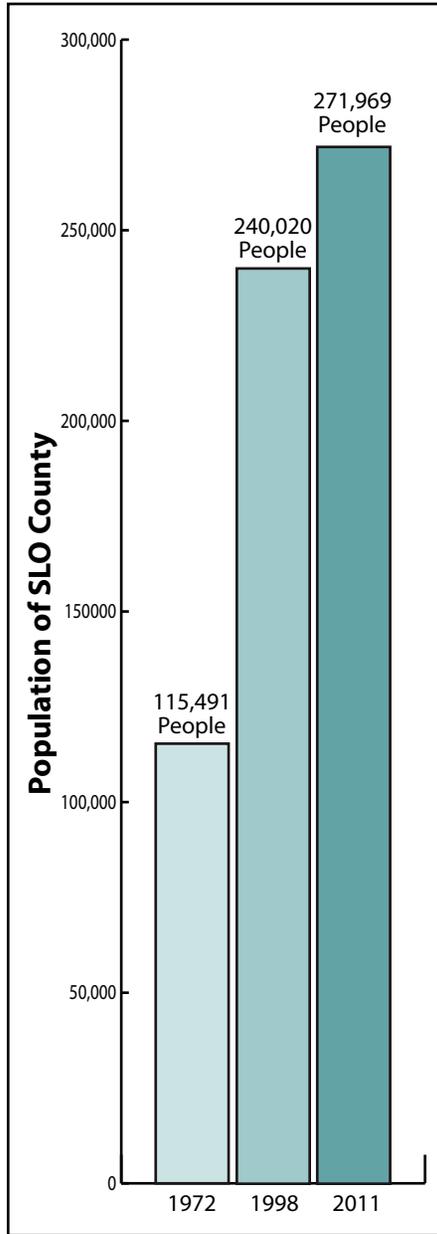
2000 - 2010 = projected 125.5% increase in population in 10 years

**Total projected population increase: 1980 - 2010 = 249% in 30 years**

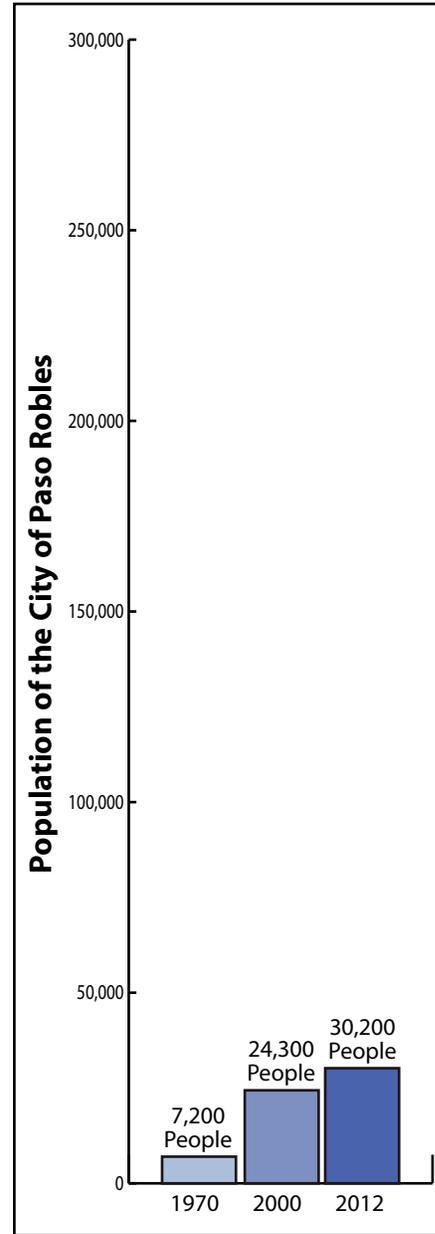
# Growth of Acreage in Wine Grapes vs. Population Growth in SLO County



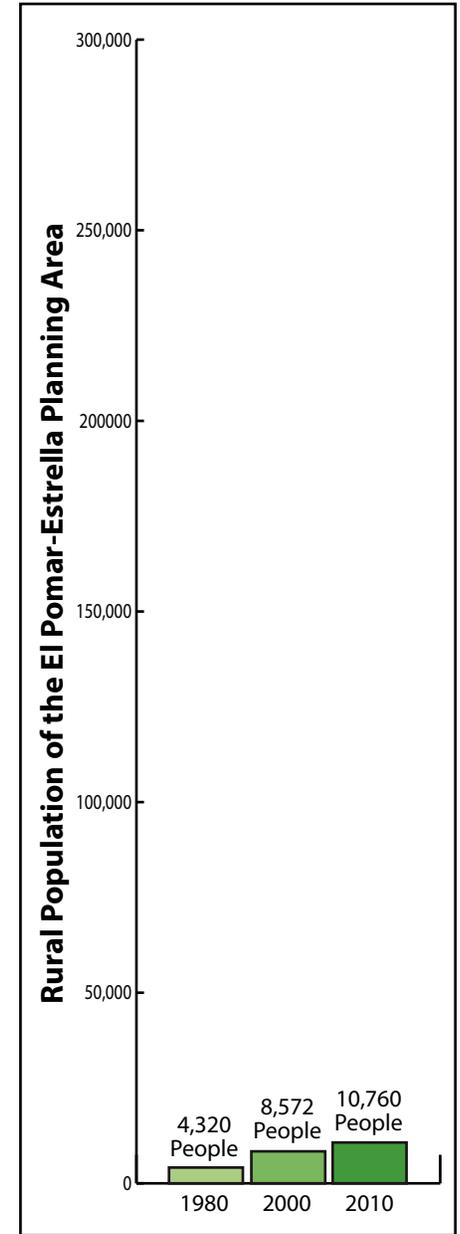
Data from: The Tribune "Wine and water: Deep trouble in the North County", June 16, 2013



Data from: the US Census Bureau

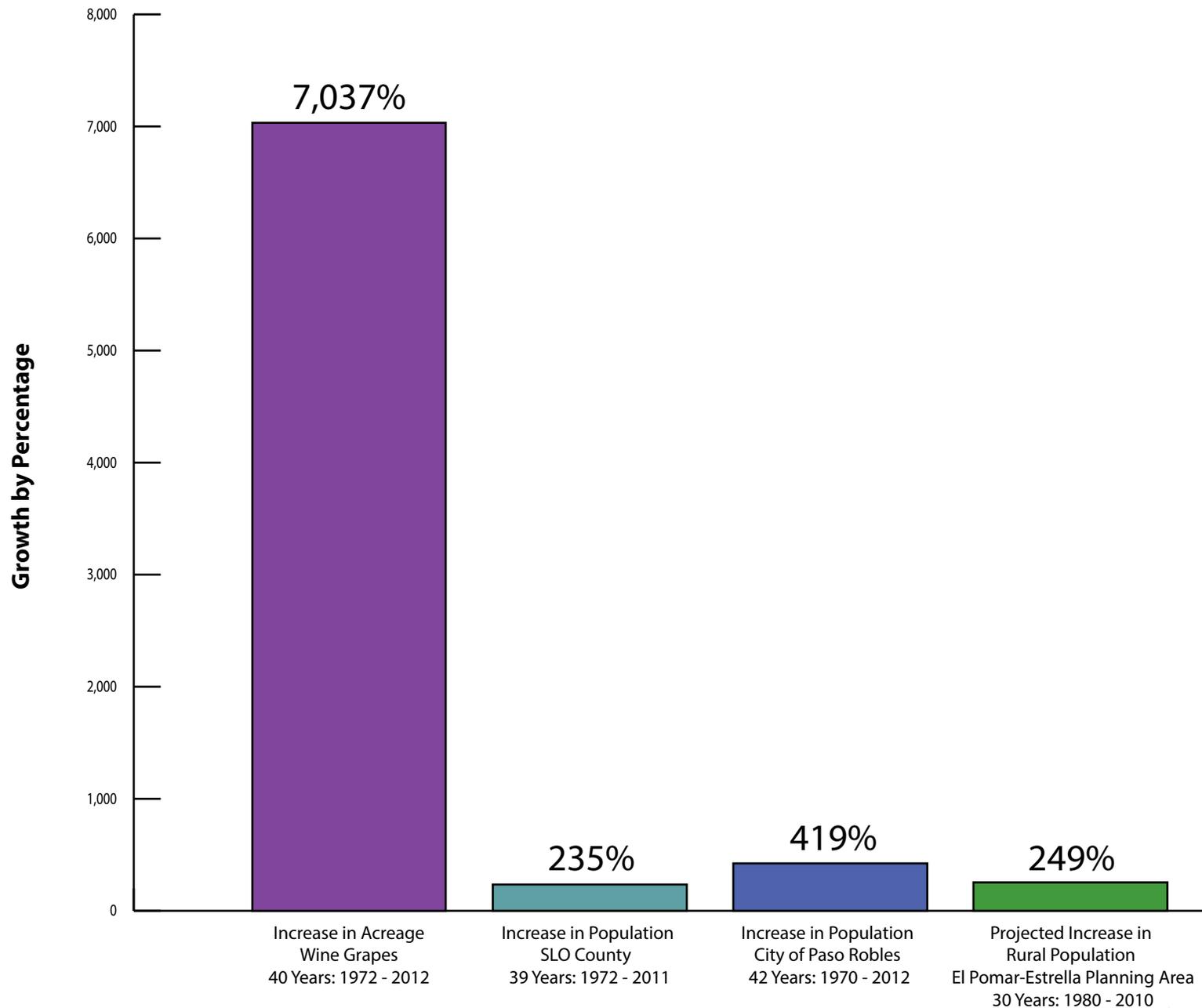


Data from: [prcity.com/government/departments/commdev/housing/demographics](http://prcity.com/government/departments/commdev/housing/demographics)  
 These dates are as close to the Tribune dates as the data provided.



Data from: County of San Luis Obispo: The Land Use and Circulation Elements of the San Luis Obispo County General Plan. Agenda Item Number 27, Meeting Date: August 6, 2013. El Pomar-Estrella Planning Area, Revised Draft, August 4, 2013. These dates are as close to the Tribune dates as the data provided. Rec'd prior to the meeting & posted on: August 5, 2013

# Growth of Acreage in Wine Grapes vs. Population Growth in SLO County: by Percentage



See data sources on graphs "Growth of acreage in Wine Grapes vs Population Growth in SLO County"