



**Fw: Re BOS meeting Feb. 11, 2014, Item #15**

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

02/07/2014 10:44 AM

Sent by: **Cytasha Campa**

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From: Carol Rowland <crowland@wildblue.net>  
To: Board of Supervisors <BoardofSupps@co.slo.ca.us>  
Date: 02/07/2014 08:33 AM  
Subject: Re BOS meeting Feb. 11, 2014, Item #15

To the Board of Supervisors,  
February 7, 2014

RE: meeting of BOS on February 11th item #15 on the Agenda  
Please enter into the record for the above meeting.

My name is Carol Rowland. I live in the Creston area overlying the PR Basin.

I have grave concerns regarding the proposed PR Basin Water District as well as the election of its Board of Directors.

In the latest water district proposed by PRAAGS and PRO Water Equity, the formation of the district as well as the election of its Board of Directions will both be created by voting proportional to land ownership. Let me clarify.

**First** - The formation of the proposed Water District would be by votes based on acreage, so it would only take an estimated 30 - 50 large landowners to establish it. The vote for the formation of the district vote should be one person one vote. 30-50 people should not be able to force this district on the rest of us.

Then there will be an election for the 9 Board of Directors for this Water District. 3 members to be voted on by registered voters. The election of the remaining 6 of the 9 members will be by landowners based on acreage. Although the landowners are divided into 3 groups, within each group, the votes will STILL be based on acreage.

No one can say whether the 2 top groups (400 acres and above with 90 landowners and 40 to 400 acres with 592 landowners) will be aligned against the smallest group which has the most landowners (>0 and <40 acres with 4,224 landowners). But it doesn't look good for the small rural landowners who comprise the vast majority of rural overlayers of the Basin, many of whose homes are at risk as their wells continue to fail.

Complicated? Confusing? Unfair? Why not simplify and make the election of the Board of Directors be based on one person one vote. We all need a voice. If a water district is created, it needs to provide representation for all of us who depend on the PR Groundwater Basin, not a water district created and controlled by the very people who have been heedlessly depleting the aquifer. Based on what these people have done so far, I shudder to think what placing this power in their hands would mean.

**Second** - I am distressed by the speed with which the proposed water district is progressing thru the BOS. I was assured by various groups and individuals that there would be plenty of time for public input into the special legislation, but now it seems after long delays, that no

legislation has yet been written that I have seen and all of a sudden the proposed district needs to be rushed to Sacramento where I am now again assured there will be plenty of time for public input . Sorry if I have a hard time believing this.

**Third** - I am concerned about water being transported out of the Basin. Under ANY circumstances.

I see the BOS wants to keep water from leaving the county (or the Basin?), an excellent idea, but we also also need a clear prohibition against any water being transported out of the Basin. I also see both PRO Water Equity and PRAAGS have said the district shall not export water from the Paso Robles Groundwater Basin.

Which brings me to ...

**Fourth** - A big red flag. **Groundwater Banking.** I am concerned lest some kind of groundwater banking is a possibility. I've read that whoever puts water into a basin has first rights to that amount of water - regardless of who owns the land over the Basin or how much water is currently in the Basin.

I read "The San Luis Obispo County Board of Supervisors has given Public Works the go ahead to hire two consultants to study supplemental water options to replenish the Paso Robles Groundwater Basin."

I called Courtney Howard at the Public Works Dept. and asked if this includes water banking. The answer was that what they will look at for supplemental water will be state water, Nacimiento, recycled.

When I asked, will water be pumped into the basin?

I was told there were 2 ways to deliver the water

1 - deliver to people directly (how - there is no infrastructure in place to do this)?

2 - indirect delivery to recharge basin - only 2 areas where it would be feasible

So it looks to me like directly putting water into the Basin is an option and it is thus water banking.

Would banning the exportation of water from the PR Basin by the proposed water district or by the county be overridden by water rights from whoever or whatever agency pumped water into the Basin? This is a critical question, - would whoever put water into the Basin have first rights to take it out?

Is that true? Could someone on the staff comment on that?

I'm especially concerned because Mr. Resnick is a huge landowner over the Basin and is involved in the controversial Kern Water Bank.

Can you get unbiased legal advice on this question? This would NOT be from the lawyer who is advising PRAAGS. PRAAGS legal representation is being provided by Ernest Conant, a lawyer for the controversial Kern Water Bank in the Central Valley.

Nor from Jim Markman, the lawyer who is advising PRO Water Equity.

How about Adam Keats, - senior counsel for the Center for Biological Diversity, who heads the center's California Water Law Project, aimed at seeking long-term solutions to freshwater delivery in California. Just a thought.

**Fifth** - the special legislation must address unlimited pumping. Meters need to be put on agricultural wells, and then a limit placed on how much can be taken out and a way to enforce this. Last year very many large vineyards have not shown any restraint in pumping.

They feel entitled to pump out as much as they can. Whoever has the most money to dig the deepest well is entitled to all the water they can pump. Because they have rights. But what rights do their smaller neighbors have. We are not trying to make huge profits. We are just trying to survive. We are all in this together. The basin is our only source of water and it is recharged only by rainfall.

Thank you for your time,  
 Carol Rowland  
 Creston

FYI - I am attaching a copy of the 3-tier voting structure for the 6 votes for the Board of Directors based on acreage, made available at a recent meeting of CAB (Creston Advisory Board) where PRAAGS and PRO Water Equity made presentations.

| Voting Categories | Acreage Ranges | # of Landowners | % of Landowners | # of Acres | % of Acres | Highest % of acreage in this category owned by single landowner |
|-------------------|----------------|-----------------|-----------------|------------|------------|---|
| Small             | >0 and <40     | 4,224           | 86%             | 32,316     | 11%        | 0.12%   |
| Medium            | 40 to <400     | 592             | 12%             | 69,442     | 24%        | 0.56%   |
| Large             | 400 and above  | 90              | 2%              | 188,969    | 65%        | 16.15%  |
|                   |                | 4,906           |                 | 290,727    |            |   |