

00:00:00.417	Lets Get started overview of meeting
00:04:21.735	If you are here you are one of the Does?
00:04:32.880	McNulty No
00:04:35.667	McNulty this stipulated Judgment only applies to the four parties evolved in it
00:04:40.705	McNulty it specifically does not apply to anyone who has
00:04:42.749	not been named or participated in the lawsuit
00:04:47.486	In this case there was the option to name others parties
00:04:51.456	that might be "interested", there was one interested, that
00:04:53.616	there was one that was in the case for a few years and they are out th golf course
00:04:56.890	But other then that there have been no other parties named
00:05:00.024	This Judgment specifically only applies to the parties evolved in it
00:05:03.287	Comment, Do you have standing if you are a John Doe?
00:05:10.044	Snyder: on page 5 and 6 though that
00:05:16.209	The judgment and the Stipulation
00:05:18.775	are subject to the boundaries of the basin
00:05:21.735	Basin is subject to the Jurisdiction of the Court
00:05:24.011	How does the court get jurisdiction of the land of the doe's that were not named?
00:05:30.396	When you have not served the Does named
00:05:34.692	McNulty The court will not have jurisdiction of the land in the basin
00:05:38.175	The court will have Jurisdiction of the parties
00:05:40.079	who are either joined or who join the lawsuit
00:05:43.469	The only way the court will have jurisdiction over parties that are currently not in the lawsuit, is if they are joined or other parties bring them in
00:05:50.156	Snyder Let me read the sentence
00:05:51.457	The boundaries of the Basin set forth in the Basin Plan
00:05:54.661	are hereby established in this Stipulated Judgment as the boundaries of the
00:05:59.026	lands subject to the jurisdiction of the Court in this Action.
00:06:05.273	The basin is depicted in exhibit 2
00:06:11.287	That does not sound like the land is not under the jurisdiction of the court
00:06:17.777	The map does not have a bunch of spots taken out where those parties are
00:06:24.522	McNulty because the stipulation explicitly declines to
00:06:30.931	Bring in any other then the parties, its very clear on that
00:06:32.649	there are other parts that you have not sited to yet
00:06:38.210	there is no ambiguity that other parties are going to be
00:06:44.027	Controlled by the stipulated Judgment in any way
00:06:47.928	? How can you say that when they are going to create various pools?
00:07:00.316	and an allocation
00:07:01.337	so they will be drawn into this thing
00:07:03.949	McNulty Pools are not creating water rights
00:07:07.746	for parties who are using them
00:07:11.856	The pools are an attempt to allow for
00:07:15.432	The parties in the case to reach a stipulation
00:07:18.265	With out having to name or bring in all the other "parties" that are using water
00:07:25.823	Gibson tries to move on structure of the basin plan
00:07:35.157	Snyder: But who does it apply to before you talk about what it is
00:07:39.836	Because it also talks about
00:07:41.833	the Committee having the ability to assess taxes
00:07:48.241	Supplemental fees
00:07:49.495	and address short falls of revenue
00:07:52.827	does that only apply to the stipulating parties

00:07:56.507	Or will the Taxes apply to the land outside the stipulating parties
00:08:02.963	that are in the basin but not named as parties
00:08:06.086	Clearly the basin management committee
00:08:10.091	Which we believe will end up being a JPA
00:08:14.027	Will need a funding source
00:08:15.490	and for that we have not identified a special tax
00:08:18.880	That "will be" imposed on the area within the basin
00:08:23.315	Gibson, Subject to 218
00:08:25.532	Snyder How do you get from a court Judgment and a stipulation
00:08:30.339	that does not include the landowners to a tax that does include the landowners?
00:08:34.588	Comment Yes
00:08:34.960	Comment Yes
00:09:56.288	Talk about mapping area Bulletin 118 map
00:10:38.641	Tim McNaulty SLO Council
00:10:43.099	introduce Eric estude
00:10:47.418	Kathy Peble Los Osos CSD
00:10:52.852	Wade Horton County Public works
00:10:58.146	Carolyn Berg
00:11:03.719	Supervisor Lyn Compton
00:11:06.226	Location of Stipulated Judgment http://www.slocountywater.org/site/Water%20Resources/LosOsos/
00:11:29.771	Carolyn Berg on SIGMA
00:16:44.588	New state law applies to Med and Hi priority basins
00:28:40.877	Gibson: Important point that rob can speak to
00:31:50.352	Gibson give some framework to the two sections
00:34:07.442	Gibson, very likely require meters on virally any wells of significance
00:36:12.273	Gibson, defer to Rob as voluntary (placement of wells to east)
00:38:32.707	Hand it over to Rob
00:39:33.450	Rob purple shows the basin boundary as we propose it and the green shows more of the watershed that flows into it (actually DWR 118 basin is green)
00:42:50.727	Rob, Technical aspects of the plan
00:45:54.629	Very important slide seawater intrusion
00:48:05.590	Basin is complicated in jurisdictions
00:50:55.002	Urban water use effency
01:03:40.026	Rob
01:15:56.312	The brown act applies to public entices
01:16:08.989	My question is it will "subject it self to the code"
01:16:11.915	Snyder What branch of the government is the basin Committee?
01:16:16.374	Intaly it will be an arm of the court
01:16:20.971	Unless and until there is a Joint Powers Agreement (JPA)
01:16:23.572	And that will be a public entity
01:16:31.002	any district formed under the government code will be a special district
01:16:35.461	So its an administrative branch
01:16:37.736	Jeff Edwards: SIGMA does not require a JPA or Special District
01:16:44.006	Saperstein, It does not require any
01:16:48.743	It requires the production of the implementation of a plan
01:16:55.941	Jeff Edwards We have a plan we only need the implementation
01:17:10.198	Saperstein to Implement the plan
01:17:39.641	Why we need it is by march....
01:18:32.027	Saperstein Its the process we elected, we the public water purveyor elected and the county

01:18:46.189	The county is to help with the overall funding
01:18:51.576	The purveyors and the county have gotten together for over a decade (closes session, on public input?)
01:19:36.749	your were saying about an increase maximum of 4000 Halt?
01:19:56.174	Of course land use held in the unincorporated area by county
01:20:06.337	Planning decisions outside of the water management entites
01:20:55.896	Saperstien we don't make land use decisions (but they do approve will serves)
01:21:20.370	Snyder: So basically the plan C and D items are to support future growth
01:21:31.097	so the county and the water district could allocate the costs to new development
01:21:43.915	as oposed to taxing back on to existing customers
01:21:51.763	Saperstein there is more then one way to allocate the costs
01:22:11.314	Yes but is it possible?
01:22:13.265	Saperstein "Yes"
01:22:27.429	Saperstein to support future demand, yes that's a true story
01:22:32.166	So purveyors look at each other and say heck we have a problem
01:23:15.123	Met 50 gallon per capata per day inside use
01:24:07.228	Saperstein, Do we need to bring all the other groundwater users in this basin into the fold?
01:24:22.275	Jeff Edwards ..., Saperstein your very interactive, what's your name
01:24:33.188	Saperstein Why in the world would we do that?
01:24:36.439	There is no reason that we should
01:24:39.968	Broaden this litigation
01:24:41.501	it really is litigation
01:24:45.913	and impose costs on parties
01:24:49.303	Busness interruption
01:24:51.393	on private groundwater users
01:24:53.157	and I use that word widely
01:25:00.402	There is not reason to include then in this adjudication if we can avoid it
01:25:21.532	We are trying to get people knowledgeable of the intent of this
01:26:10.050	Comment and I wish Bruse was here, thanks for telling us not asking us
01:26:18.978	Will be the first to admit as I was listing to the questions, How do you ask folks if they want to be included ...
01:27:08.460	Saperstein this is really just the start of the process ??????????????????
01:28:17.179	Saperstien that might have been disrespectful to make that decision to not include well owners
01:28:36.266	Comment why would anyone want to be in the litigation, it's lack of trust
01:28:45.333	Saperstein
01:29:01.971	Saperstein, have our meetings "subject to" the brown act
01:29:41.503	The last peace of what was our main tenant
01:29:47.842	can we develop a plan
01:29:55.574	with out impacting the rates
01:30:05.082	Not trying to control in any way landowners "access" to
01:30:12.153	or use of water for any beneficial purpose
01:30:15.288	Astrix for the woman in the back who is concerned
01:30:24.552	That's a different issue then saying we want you to cut back 10%
01:30:36.429	It would take an extraordinary
01:30:38.554	catastrophic error
01:30:40.296	Decision making error in this process
01:30:42.873	for us to come back to that landowner and
01:30:47.714	Both dormant well owners and
01:30:48.933	and existing users for the purveyors
01:30:51.685	to believe they have to come back and go

01:30:54.437	Saperstien we have to go to the community for help
01:30:59.800	if going to "shit" after we have tried some of these things
01:31:05.408	Snyder, But you are planning to tax everybody
01:31:40.586	The basin management committee alone can not impose any financial burden on the public
01:31:47.866	engineering studies and a 218 vote
01:32:10.819	Snyder, How can it vote on an assessment if it can not create an assessment
01:32:21.128	Saperstien the basin management committee which may or may not be a JPA
01:32:30.184	Saperstien all the basin committee can to is recommend to the Flood control district
01:32:36.244	Or the county
01:32:38.369	Please start the process to form an assessment
01:32:51.430	Snyder, But the word here is not recommend
01:33:02.750	Vote on Adoption of any supplemental fees
01:33:16.368	Snyder How can the basin management committee vote on having a tax if they can not tax?
01:33:28.489	Saperstein it's a little bit of apples and oranges
01:34:04.863	Saperstein Committee can not tax with out 218
01:34:21.814	Snyder, Adoption of regulations and restrictions?
01:34:38.300	Saperstein The Committee
01:35:14.477	Saperstien we are getting really granular
01:35:18.204	You are talking about a tax and the question is what is your (landowners) representation
01:35:34.713	I don't think in a JPA it can decide what an entity can do before it does it
01:35:51.849	you can't dictate what a board has to do
01:35:54.810	Saperstien that true
01:35:59.129	How can you adopt something when in reality you can only ask it be adopted
01:36:21.350	if the board has not given the authorization to vote they vote no
01:37:00.220	? I have a question of the procedural would there be an objection to an extension?
01:37:14.361	Comment would an extension be apposed?
01:38:12.876	Saperstien we are planning to put in similar testimony as here today to educate Tangeman
01:38:45.024	Snyder Are the landowners entitled to get a copy of the court documents
01:39:14.838	Snyder, you can't see how the stipulation will effect you unless you review the whole body of documents
01:39:19.436	Gibson, let me ask Mr Snyder are you a landowner or the agent of a landowner
01:39:24.103	?? that irrelevant
01:39:35.701	Gibson there are people with there hands up
01:39:46.290	Snyder I am John Snyder
01:39:51.491	I am from Nipomo and have been in the groundwater litigation for 17 years
01:40:00.779	and have been on this side for a considerable amount of time
01:40:03.287	and I am very concerned about water rights in the county
01:40:23.000	Saperstein the court records are public records but paper not electronic
01:43:24.046	Saperstien The stipulated Judgment satisfies Sigma
01:45:35.518	To move the meeting forward
01:48:56.510	Does it in anyway limit future prescription
01:49:08.398	Saperstien does it prohibit a future prescriptive right claim, No
01:50:16.572	McNulty, Paul I just wanted to make sure we are not deceiving anybody
01:50:20.589	There are facts in the stipulated Judgment that layout
01:50:24.304	The facts that would be necessary to acquire Prescription
01:50:27.787	Claim to water rights to these purveyors
01:50:29.459	and those are being stimulated to
01:50:33.848	Prescription is not being explosively created by virtue of the Judgment
01:50:37.540	But the Facts it lays out would lead to that conclusion
01:50:42.277	Saperstien and those facts exist irrespective

01:52:12.974	We may get the JPA
01:52:16.248	If it is a JPA or not it will be
01:52:19.104	It will be subject to the code sections on the brown act
01:52:22.841	Snyder, Can you go back because it says it's authorized to access powers to obtain funds and you say it can't
01:52:37.192	I don't know how I can say this
01:52:42.579	Saperstein Maybe the words are poorly crafted in the stipulation
01:52:48.431	There is no way a property tax assessment can be done with out a 218
01:53:11.836	The court can not authorize the basin management to side step any of those things
01:53:29.669	If there are rates on our customers there are separate 218
01:54:15.087	Question you show who the member are and the pools as being private landowners, ag
01:54:26.303	but there is no representation
01:54:28.392	Saperstien, That's Correct because you are not a party to the lawsuit
01:54:35.149	you will be included in the same way as the county board of supervisors hold their meetings
01:55:06.357	Question, The water purveyors have worked behind closed doors
01:55:11.976	With out the input from people in this room
01:55:32.503	your notice said there was public input but none of use knew about this
01:55:40.212	Saperstein 11 years draft basin plan
01:56:12.302	I did not have the wildest idea
01:56:31.946	McNulty, the basin management plan has been out for a couple of years
01:56:43.184	The reason we could not send a notice out before is because we did not have a stipulated Judgment
01:56:54.376	It was only when the parties could agree on a stipulated Judgment
01:56:59.067	that we could put that up on the website
01:57:01.482	and send everyone a notice
01:57:10.351	Commnet let those people who have an interest participate in
01:57:44.949	Snyder, Why did you notice people for something that does not effect them now?
01:57:56.466	the reason is we did not have a stipulated Judgment until a week ago
01:58:59.300	Gibson's final thoughts