

NCS D urged to overturn 'binding' state water vote

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NIPOMO — On Wednesday, Nov. 13, a small but earnest group of citizens urged Community Services District directors to walk away from the Nov. 5 binding vote in which NCS D residents turned down state water.

About 20 people, apparently all in favor of state water but not all of them residents of the district, blamed the vote on an 11th-hour mailer they said was "filled with misinformation," apathy among the electorate, and a small minority who were uninformed about the issue but voted against it.

Directors indicated they could "bite the bullet" and overturn the vote, but also noted that to take that step the board might need a major public outcry in support of the action.

Audience members urged the board to overturn the vote after hearing that the district may not be able to supply water to a proposed supermarket shopping plaza, a future middle school, or even current residents of the district.

In addition, the district will have to implement a mandatory water conservation program and raise water rates to pay for additional sources of water — if any can be found.

"It puts the district in a precarious position," said NCS D Manager Ryder Ray. "We don't have a lot of choice here."

Ray said the proposed Lake Nacimiento water project will never deliver water farther south than the

city of San Luis Obispo because economics will prevent it.

He said desalination is ruled out because it would require construction of a plant as well as delivery lines from the sea to the district, and the water it could supply would cost \$1,400 to \$1,600 per acre-foot.

He said state water probably would have cost \$300 an acre-foot considering it would reduce or eliminate the current costs for the district to operate its wells.

An acre-foot is approximately 326,000 gallons and is considered enough to serve two families of three for a year.

"The only other thing left is to find a well," Ray said. "When you look at that recommendation, there are an awful lot of dry holes around this country."

He noted that it costs about \$200,000 to put a new well into operation, but the current rate structure only covers current costs and would not provide the funds necessary.

Ray said the average consumer cost of water statewide is \$1 to \$6 per unit (100 cubic feet), but NCS D charges only 50 cents per unit. That will have to rise.

"That's the way it is, that's the way it comes down, that's what's left," he said.

He said the district expects to put a new well in operation later this year, but it is only expected to deliver 300 to 400 gallons per minute. The district needs one that will deliver 800 to 850 gallons per minute.

Ray said NCS D is in the process of engineering a reservoir that will

hold 1 million to 1½ million gallons of water.

However, that will only help with fire suppression by providing a reserve pool of water and will not provide an additional quantity of water, he said.

"I'll be knocking on doors trying to find a well site somewhere," he added.

Among those urging the board to ignore the vote against state water were Jim and Peggy Miller, who own commercial property in Nipomo, and Barbara Haslam, a former NCS D president, who sent letters stating their opinions.

Haslam said many district residents feel the election did not reflect the feelings of the majority.

"I beseech you as leaders to take whatever action is necessary" to provide for the future of the community, Haslam wrote.

The Millers said they felt obligated to provide safe, plentiful and affordable water to their 22 tenants.

"We implore you to act in the best interest (of the community) and overturn this unfair vote," they wrote. "We hope those who did not vote are listening."

Board President David Manriquez said whether the board can overturn the binding vote "is really a gray area at this time."

Arthur Shaw, attorney for the district, said, "The board must follow its own laws. But the board makes laws also."

Said Manriquez, "We have the power to do certain things and the power to undo certain things. But I

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know 349 people who will be awfully mad if we do."

Ray noted that the district currently gets 99 percent of its water from wells located outside the district. Water law says those who own property over the aquifer have first rights to the water.

Through lawsuits, the property owners could take away virtually all of the district's current supplies, which Manriquez noted aren't enough now to supply what the county General Plan sets as full buildout.

He said the General Plan projects a population of 30,000 within the current NCSD boundaries.

"We can't sink enough holes to service that," Manriquez said.

He noted that if California Cities

Water Co. decides to take the water entitlement NCSD voters have given up, the district may be able to buy it back but at an inflated price because Cal Cities is a private company in business to make money.

Audience members urged to the board to "take a lot of heat" and decide to join the Coastal Branch of the State Water Project.

One, who said she lives outside the district and has her own well, said the board might not take any heat.

"Every day I hear people say how ridiculous it is this small group of people is affecting the future of this big mesa," she said.

Director Alex Mendoza said "your concern is my concern," but said the board would need support to pass new laws that would allow it to

go against the vote.

"If that is going to happen, it will be because public outcry will force us to do that," Mendoza said.

Directors said a crowd of people "stretching out the door" or some 350 residents would have to show up at the meeting next Wednesday, Nov. 20, to make the board override the vote.

"It's good to hear you all and know more of you are in favor of state water than against," said Director Steven Small. "But the only statistical indicator we have is the vote. We need an indicator of greater magnitude than the vote to be comfortable with overturning it."

Said Manriquez, "From my point of view, something has got to be done. We may have to bite the bullet and do it."