

NCS D rates will not increase due to one lawsuit

To the Editor:

The Nipomo Community Services District has spent more than \$1 million in attorney's fees in the past four years and sued 750 farmers. Now, based on one lawsuit from Save the Mesa, the rates need to be raised. Give us a break.

The facts are that since the STM lawsuit, the NCS D has spent in the past five months \$179,210.61 in legal fees. It has sued an additional 262 farmers and/or landowners. The board of the NCS D has spent less than 6 percent of that five-month total on legal expenses on the STM lawsuit. Yet, Director Blair wants you to believe that it is the STM lawsuit that has caused the rates to rise.

Of the \$6,762 the NCS D has paid for the STM lawsuit, this needs to be balanced against the more than \$1 million the NCS D has spent on legal fees in the past four years. So, .007 percent has broken the backs of the NCS D and cause them to raise rates? Why don't I believe this?

Let's spend a little bit of time talking about the STM lawsuit. First, I told the NCS D if they did not want to be the lead agency they should contact the Office of Public Research of the state. This they did not do.

Second, the NCS D was told if it had the developer pay for the environmental impact report (EIR) it would not have to pay any legal fees. This they did not do.

Third, the board of the NCS D was given a case that clearly sets out that the developer needs to do an EIR in this situation. This they ignored, except for Director Wirsing.

If Mr. Blair believes it is the STM lawsuit that has raised the rates of the NCS D customers, then what are the implications? It is obvious that only Ms. Wirsing can claim to want to keep the rates down.

When I explained the legal implications of the situation, the NCS D's own lawyer commented, "Well, there is not much that I have heard from Mr. Hill that I disagree with." This is all in the administrative record that I will gladly post.

I hope that if you are a member of the district paying these water rates you need to ask why \$1 million is spent by the board of the NCS D on legal fees and there is no money to correct the citation issued by the Health Department in 1999. You need to find out about the implications and possibility of winning anything from the lawsuit on which the board has spent \$1 million. I'll gladly e-mail you a copy of the Mojave decision to help you understand the issue.

You need to find out the costs on your current and future bills if the district expands its sphere of influence to cover the Mesa as is currently planned.

I strongly suggest to you that you will not like the rate increases that are coming our way.

You should heed Mr. Blair's words in his letter to the editor, "you had better pay attention as to who is running, what they stand for and how much they are going to cost you."

Mr. Blair is very right in this comment and his decisions are very expensive.

If there are any questions about the record or facts in this matter, I will e-mail you the documents and the records.

To acquire any additional information, contact me at JLB-Hill@aol.com.

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