

## 6/3/15 WRAC Santa Maria Groundwater update

“Those (water shortage) conditions do not now exist and are very, very unlikely to occur”  
(1/10/14 Purveyor brief)

1/17/14 Purveyor attorney for GSWC, MR. SAPERSTEIN: "Despite the overall drought circumstances, sort of California wide, we don't have that -- those conditions in the Santa Maria basin. **The basin is actually quite healthy.**"

"What is different about Santa Maria Valley and management, we aren't in an overdraft circumstance. **We have abundance of supply.** And conditions do change over time. The safe yield will change over time because of cultural conditions.

**March 13<sup>th</sup> 2015 hearing on protecting overlying rights:** comments by Golden State Water Company, “The two cities” left from Northern Cities, Now represented by Mr. Weinstock and the Court:

“Mr. Saperstein: We have not even met the potentially severe criteria in the Santa Maria valley subarea that is the largest part of the basin. On the Nipomo mesa we have potentially severe conditions. We all of the public purveyors, the appropriators, have implemented voluntary conservation measures. In fact, the two largest purveyors, Mr. Tilden's client and Nipomo community Services District; and my client, Golden State Water Company, have had conservation measures in excess of 25 percent reduction. We actually have gone well beyond what's required in the stipulation and the judgment in trying to be mindful of protecting and preserving the water resources”

“Mr. Weinstock: okay. The statements from Mr. Saperstein about all the good things that are going on, unfortunately, are inadequate to prevent disaster that's looming. For example, Mr. Saperstein said that they are building the pipeline project and this summer hopefully it will bring in 500 acre feet a year of supplemental water. Something -- we are supposed to have 3,000 acre feet and that was agreed to almost exactly 10 years ago.”

“The court: my guess is once we get the reports we will determine whether or not there needs to be some form of an evidentiary hearing to decide what, if anything, needs to be done. (reports due 4/1/15 but historically have always been done late)”

4/29/15 to 5/1/15 Reports from the three areas are posted to the court website but they don't include spring 2015 data. <http://www.scefiling.org/document/document.jsp?documentId=108186>

5/21/15 NCSA meeting it is reported that the secret NMMA technical group had made a declaration:

### **Nipomo Mesa Management Area Key Wells Index 2015 Status: Severe Water Shortage Conditions**

The Nipomo Mesa Management Area ("NMMA") Technical Group ("TG") established groundwater level and groundwater quality criteria to track overall basin conditions within the NMMA. The criteria include the Key Wells Index ("KWI"), which combines groundwater level data from eight selected wells distributed throughout the inland portion of the Management Area. Water level measurements are made in NMMA groundwater wells representing the principal producing aquifer and are used to compute the KWI during the spring of each year.

The TG uses the KWI to help identify trends in basin groundwater levels and has compiled KWI data for the period from 1975 to the present. Groundwater levels have changed in the NMMA over time, and are now at an overall level that is lower than at any other time from 1975 to the present (Figure 1).



One of the NMMA TG's court-required duties is to determine when conditions of "Potentially Severe Water Shortage Conditions" and "Severe Water Shortage Conditions" have been reached. **The 2015 KWI value (10.0 ft msl) has decreased from the previous year (18.5 ft msl) and is within the Severe Water Shortage Condition (16.5 ft msl).** The Severe Water Shortage Condition signifies a Stage III NMMA Water Shortage Response.

Details of the KWI, as well as the agreed upon responses to Potentially Severe Water Shortage Condition and Severe Water Shortage Condition, are explained in further detail in the NMMA TG's annual report of groundwater conditions. The report's attachments include a response plan to groundwater shortage and an associated well management plan, including the NMMA Water Shortage Response Stages. The NMMA annual report for calendar year 2014, including these attachments, is available as a digital document at [http://www.scefiling.org/filingdocs/19902/83876/endorse 130081 report. pdf](http://www.scefiling.org/filingdocs/19902/83876/endorse%20130081%20report.pdf)

**But the public was not allowed at the meeting** even though there is no requirement for barring the public in the settlement.

“3. The NMMA Technical Group meetings shall be open to any Stipulating Party. NMMA Technical Group files and records shall be available to any Stipulating Party upon written request.” (2005 stipulation page 24 line 17)

The county limits confidential well data to be restricted from the public. county email 6/13/14,

“The owners of the above wells permit the District to measure their wells’ water levels subject to agreement by the District that the collected information will not be released to anyone with one limited exception: the information may be released to governmental agencies for use in reports, studies, publications and updates (collectively, reports) provided that the reports do not contain the written coordinates of the well, the address or APN of the property on which the well is located or the name and contact information of the well or property owner”

The NMMA is not a “governmental agencies” and is required to release all its files and records to over 900 private people:

**“NMMA Technical Group files and records shall be available to any Stipulating Party upon written request.”** (2005 stipulation page 24 line 19)

**So the question is what did the NMMA vote on to make the declaration if the county can not disclose the well levels to the NMMA TG to average to make a KWI??**

**There has been no posting to the court** or to the Nipomo community web site that makes the decision final as required in the 2005 stipulation:

“Notices of the NMMA Technical Group meetings, as well as **all its final work product (documents) shall be posted to groups.yahoo.com/group/NipomoCommunity**”. (2005 stipulation page 24 line 20)

The TMA will have a public hearing to collect input on 6/5/15 at the SM government center

John Snyder