



## August 2018 NEWSLETTER

### NRWMAC ACTIONS

The Nacimiento Regional Water Management Advisory Committee (“NRWMAC”) filed a legal action detailed below in the Monterey County Superior Court to protect Lake Nacimiento enthusiasts, property owners and businesses.

NRWMAC retained a law firm that specializes in water rights law, as well as an expert in surface water hydrology, to examine all of the legal options available to it in dealing with Monterey County’s management of the lake and the water releases. While researching and preparing a path forward, NRWMAC’s lawyers discovered a lawsuit already in progress in Monterey County.(1) This action was filed in January of 2017, and involves, among others parties, the Salinas Valley Water Coalition (“The Coalition”), the Monterey County Water Resources Agency (“MCWRA”) and the Monterey County Board of Supervisors. In the lawsuit, the Coalition is demanding that even **more water** be released from the lake **on a permanent and continuing basis**.(2) Although they should have been, interested parties, (property owners, NRWMAC, etc.) were never informed of this lawsuit by either the parties or the court.

The original parties in this lawsuit do not represent either the property interests around the lake, or the recreation or business interests. If the Coalition prevails, the result will be that an even greater amount of water will be released from Lake Nacimiento, a legal precedent on those releases will be established, and water levels will be much lower.

On August 15, 2018, NRWMAC’s attorneys filed a “Motion in Intervention” in Monterey County. This is a legal mechanism whereby NRWMAC seeks to join the existing lawsuit. NRWMAC is not taking the side of any of the parties in the lawsuit. Rather, by intervening, NRWMAC is ensuring that its interest, and that of its constituents, be accounted for concerning the recreational aspect of the lake, and that any decision rendered by the court in respect of water releases, now or in the future, takes into account these interests. A hearing on the intervention motion is scheduled for September 19, 2018. To read the Motion in Intervention, follow this link: [www.nrwmac.org/wp-content/uploads/2018/08/Motion-Intervene-180815.pdf](http://www.nrwmac.org/wp-content/uploads/2018/08/Motion-Intervene-180815.pdf)

NRWMAC’s intervention in this lawsuit is the first step in gaining a voice before the court, before the California State Water Resources Control Board, and with Monterey County, in compelling the recognition of the rights of Lake Nacimiento residents, property owners, visitors and enthusiasts. It also establishes NRWMAC’s standing in any future legal action, and is critical in the efforts to protect the Lake levels, property values, preserve individual property owners riparian water rights and recreational uses.

The funding for this effort is being paid by your donations through the NRWMAC GoFundMe page and private donations, and is actively being pursued for donations from lake owners and lake enthusiasts. Please see more below.



## RANGERS AND THE LAKE

With the help of our continued push at getting more rangers on the lake, Monterey and SLO counties met and came to an agreement which has put more rangers / sheriff's in a shared effort on the lake on weekends and additionally in our area two to three days a week.

The ranger / sheriff presence has helped with handing out citations and turning away at least three boats, including one which tried several times to launch without a valid permit.

We thank both SLO and Monterey counties for working on this, and we will continue to request for more rangers / sheriffs on the lake.

## MUSSEL PREVENTION

NRWMAC is happy to report that all Mussel classes for this year have been completed. We have also had several new people express interest in becoming registered inspectors.

## NRWMAC at RES OPS MEETINGS

At the June and July MCWRA/Reservoir Operations Committee meetings in Salinas, attended by Don Bullard (NRWMAC President), the following information was discussed:

**Road Maintenance:** Monterey County (responsible for road maintenance for one mile on either side of the center-line of the dam) has stepped up and done some road maintenance. SLO County had done quite a bit of work recently too and the area roads have improved.

**Release Schedules:** MCWRA still maintains it will continue conservation releases thru mid-September of 2018 when San Antonio goes to dead pool.

**Tunnel Report:** MCWRA is looking at alternative designs for the Lake San Antonio spillway, and is re-visiting all of their

preliminary modeling work. For anyone that did not attend the Tunnel Meeting that MCWRA conducted, while MCWRA said they would gladly turn over the modeling work when completed, the modeling work and back-up data still has not been made available and there has yet to be any public display of the tunnel meeting on the MCWRA's web site as promised.

MCWRA continues to work to try to resolve the white bass issue, and is considering 5 mm screens for the tunnel invert, and has yet to work out a compromise with Fish and Game.

**Lake recreation:** Monterey County is battling low lake level perceptions with advertising still, and yet some recreation services are now shutting down.

MCWRA continues to state that all launch ramps will remain in the water down to 730 feet MSL, "so recreation shouldn't be affected all that much." NRWMAC continues to vigorously refute this assertion, and is now gathering pictures and data to send to MCWRA showing the ramps in the mud, right now at 730 feet MSL, along with other issues the low later level is creating.

## HELP NRWMAC SAVE THE DRAGON

"Save The Dragon" is not simply a turn of phrase; it's a fervent plea for help. Lake Nacimiento is not going to save itself from MCWRA's mismanagement. Without a court's intervention, MCWRA is not going to realize the error of its profligate ways and turn off the drain spigot all by itself.

NRWMAC intervention into a current lawsuit, has created a great opportunity to jump start the correction of this dire situation, and provides additional validation of the importance of the rights of lake owners and recreational users. However, it's going to take



litigation funding support from all lake property owners and enthusiasts to make this happen.

NRW MAC's GoFundMe legal campaign, with your contributions, has raised over \$50,000.00 and we are grateful to all of those who have contributed. Being the primary source of funding for these legal efforts, we need everyone's help to circulate this newsletter, tell everyone you know why this is so important and to please donate today.

For more information and updates, please go to our website, [www.NRWMAC.org](http://www.NRWMAC.org) or go directly to the GoFundMe location at [www.gofundme.com/lake-nacimiento-save-the-dragon](http://www.gofundme.com/lake-nacimiento-save-the-dragon)

## **THANK YOU FOR YOUR SUPPORT**

We wish to thank everyone that supports NRW MAC, and over the next few weeks and months we will be sending out additional emails asking for even more help. NRW MAC needs volunteers to help with getting the word out, donations, sign-ups, handouts, t-shirt sales, and help at functions and events.

You can help the effort by donating time, dollars, purchasing merchandise or signing up for events at [www.nrwmac.org/get-involved](http://www.nrwmac.org/get-involved) .