



February 2024 NEWSLETTER

NRWMA vs MCWRA Lawsuit Update

The Nacimiento Regional Water Management Advisory Committee (NRWMA) first sued the Monterey County Water Resources Agency (MCWRA) in 2019 after concluding there was no other way to engage Monterey County regarding water mismanagement issues at Lake Nacimiento. Our current lawsuit alleges the MCWRA has taken more water than permitted, mismanaged the lake water levels with no regard for recreation, refused to produce key documents requested under the California Public Records Act, and that all these actions have greatly harmed not only property owners at the lake but also the general public.

Today, we are excited to report that our lawsuit filed with the Superior Court of California, County of San Luis Obispo has finally progressed to the point where we can say with confidence that our court case is strong. Here’s why:

- The MCWRA’s own numbers show it has taken too much water; it is only a question of when the water was taken, how much excess water was taken, and what that water is worth.
- The agency’s tactics, such as lowering the lake water level based on inaccurate information or timing water withdrawals during the peak recreation season, are clearly not beneficial to recreation, which is one of the original components of Monterey County’s permit. For example, when the MCWRA debated lowering the lake’s recreation water level to 730 ft. several years ago, it stated that most of the Lake Nacimiento launch ramps were usable for recreation at that elevation. At the time, the NRWMA representative strenuously objected, pointing out that at that elevation, the only ramp still in the water would be the main

marina’s lower ramp, which belongs solely to Monterey. The lake recreation level was lowered despite this known fact, based on Monterey County’s false assertion.

- To date, the MCWRA has refused to produce key documents and agreements showing the promises it made to San Luis Obispo County folks in order to take vital parcels of land through eminent domain and obtain permits to build the dam in 1957. Monterey’s refusal to turn over these key documents has already violated a state law called the California Public Records Act.

The NRWMA lawsuit goals remain steadfast, and we seek to compel the MCWRA to:

- Maximize the water level to the ideal 790 ft., and not less than 750 ft., which will store more water for recreation, agriculture, and periods of California drought.
- Maintain a more consistent lake level from May 1 through September 30 to provide for recreation activities and protect wildlife and fish habitats.
- Maintain year-to-year water elevations through prudent management of transfers and releases.

If the NRWMA lawsuit prevails over the Monterey County Water Resources Agency, it will start the correction of a dire situation that has gone on for too long. The agency will be compelled to create and adopt plans and working protocols that maintain a verifiable water level at Lake Nacimiento, adequate to store the amount of water required for viable recreation, agriculture, fish, bird, and



endangered species habitat protection, and periods of California drought.

In addition, the MCWRA, be it through monetary damages or otherwise, will be held to account for its misuse of its lake permit, which has negatively affected Lake Nacimiento property owners who are taxed without representation and have little-to-no ability to influence the governing of the lake or the surrounding area.

The San Luis Obispo County Superior Court judge presiding over our lawsuit has required mediation in his latest ruling. This is something that the NRWMAC has wanted but the MCWRA has always refused to do. Mediation should start in the next few months and has the potential to settle the lawsuit if we can negotiate a deal that meets our goals without unduly harming Monterey County's interests. Our water expert has such a solution, but we've never even been allowed the courtesy to explain it to Monterey County. This order of mediation will provide that opportunity at long last.

Failing to reach a settlement agreement in mediation, a trial date will be set for some time next year. Prior to trial, we will go through a process called discovery, in which we interview people and expert witnesses to further develop our case.

NRWMAC on the Watch!

On February 5, 2024, a NRWMAC board member observed that the lake releases had doubled and then tripled for three days in a row. The NRWMAC representative to the MCWRA followed up this report by asking Monterey about the releases and was told a test check was run on the flood gates to verify they were working properly, since they had undergone maintenance work last fall. The releases have since been lowered back to their 60 cfs levels.

Upcoming NRWMAC Events

The 2024 boating season promises to be another good one, and it is great to see so many people helping with the clean-up on our shores.

A shout-out to all who participated: Thank you! Please remember to take care as you enjoy the lake; there is still a lot of debris in the water. Here are the events happening soon that you won't want to miss!

NRWMAC's Gear at the Gates

Three Locations: Friday, May 24, 2024, Memorial Day Weekend

It's gone viral! The public response to the NRWMAC shirts and gear sales at the Running Deer Ranch gate each Memorial weekend has become an annual fundraising success story. This is an "until-all-the-goods-are-gone" event, so again we need all-hands-on-deck for shifts on Friday. Join us for the fun and the top-selling gate bragging rights! For more information email us at info@nrwmac.org.

Back in action! Heritage Ranch and Oak Shores gates will also take part in the Gear at the Gates NRWMAC shirts and gear fundraising sales bonanza this Memorial Day weekend on Friday. At the Heritage Ranch marina, look for the NRWMAC tables and banner by the Quagga mussel kiosk 9:00 a.m. to 5:00 p.m. At Oak Shores look for Michele at the Oak Shores Clubhouse by the main marina. Come lend a hand at one of these community gates and give Running Deer Ranch some spirited (and lighthearted) competition for the fundraising kudos! If you'd like to help out at the gates, contact Gail Reese (RDR) j.jrandgail@verizon.net, Bruce McFadden (HR) bmc1212@sbcglobal.net or 805-415-1099; or Michele Lauffer (OS) mLauffer5m@gmail.com or 805-400-4192.



Of course, you can email us at info@nrwmac.org to sign-up or if you have any questions about this special Lake Nacimiento event.

We are expecting lots of local people to “stop by and buy” at the all three gates on Friday this year due to the recent news coverage of the NRW MAC lawsuit and the Save the Dragon campaign. Join us at the lake gates to get your own gear for the summer and help out raising funds for a worthy cause we all can get behind: the NRW MAC Save the Dragon lawsuit!

Your time and service donation for this event is greatly appreciated! Everyone is welcome to participate in this fun event with Lake Nacimiento neighbors.

Lake Nacimiento Weekenders and Day Visitors

If you’re coming to the lake for the Memorial Day Weekend holiday, be sure to stop by the NRW MAC shirts and gear fundraising tables at the Running Deer, Heritage Ranch, and Oak Shores entrance gates on Friday. Get your weekend off to a great start by saying hello to neighbors and grabbing your favorite lake gear!

Mussel Up!

NRW MAC’s long-term commitment to Quagga mussel awareness and prevention continues with ongoing training and certification classes. Classes scheduled at this time are as follows, with more classes to be added at a future date:

Recertification Classes

Date/time: March 16, 2024, at 9:00 a.m.
 Location: Heritage Ranch Barn

Date/time: April 6, 2024, at 9:00 a.m.
 Location: Oak Shores Clubhouse

Resident Vessel Program Classes

Date/time: April 6, 2024, at 11:00 a.m.
 Location: Oak Shores Clubhouse

Date/time: May 4, 2024, at 11:00 a.m.
 Location: Cal-Shasta Clubhouse

If you are interested in becoming an inspector or recertifying, please register with San Luis Obispo County at druedas@co.slo.ca.us or contact the NRW MAC for more information.

Exciting changes are taking place with the Mussel Prevention programs. Starting February 1, San Luis Obispo County is moving away from the current Quagga Inspection Database (QID) system and will be moving to the superior Watercraft Inspection Decontamination (WID) system. The WID system is not only easier to use, but it covers more states and lakes than the QID system and is online for instant checks and logging. (The internet is provided and available.)

Please practice responsible boating by ensuring that all your watercraft are cleaned, drained, dry, and mussel-free before launching.



Order Your Quagga Mussel Sticker

All owners of motorized vessels operated on Lake Nacimiento are required to have a current Quagga Mussel sticker issued by the California Department of Motor Vehicles (DMV) attached to their vessel. This is in addition to the normal registration fee, and can only be purchased from the DMV online at the following website: <https://www.dmv.ca.gov/portal/vehicle-registration/new-registration/register-your-boat-vessel/quagga-sticker-request/>

Get Your California Boater Card

As of January 1, 2024, all persons sixty years of age or younger operating a motorized vessel in California are required to have a California Boater Card in their possession when operating a motorized vessel.



Starting January 2025, anyone operating a motorized vessel on California waters, including Lake Nacimiento, will be required to have a card on board. The lifetime card fee is \$10.

All applicants for a California Boater Card must complete a Boater Safety Course. Additional information and application for the California Boater Card, along with approved paid and free courses, can be found at this website: <https://californiaboatercard.com/about-the-card/>

Several boating safety course providers offer free, approved courses through online or e-book programs. Two of those are located here: <https://www.boatus.org/california/> and http://dbw.parks.ca.gov/?page_id=28734

NRWMAC in the News

In case you missed it! The NRWMAC vs Monterey County lawsuit was headlined in the January 31, 2024, issue of the Paso Robles Daily News. The in-depth reporting by Sadie Mae Mace presented the goals, facts, and ongoing status of our lawsuit in an engaging and detailed article. It also encouraged Paso Robles and the wider San Luis Obispo County communities to become aware and get involved in our struggle with Monterey County.

We are grateful to the Paso Robles Daily News and Sadie Mae Mace for contacting us for our side of the story, researching the facts thoroughly, and writing about the progress of our case. Additionally, we are thankful for the newspaper, which, in doing its due diligence, sought to obtain Monterey's take on the lawsuit and printed its comment. Monterey's response beautifully illustrated the monolithic density of its attitude that it bears no responsibility to communicate sincerely with the public. The NRWMAC repeatedly faced this contrived wall of privileged silence prior to taking Monterey to court in San Luis Obispo County.

We are encouraged that the news media is following the story of our lawsuit and helping to increase the awareness of how the mismanagement of the lake by Monterey affects all of us who treasure Lake Nacimiento.

Read Sadie's news article here:

<https://pasoroblesdailynews.com/lake-nacimiento-lawsuit-continues-hearings-in-2024/187774>

What You Can Do to Save the Dragon

It's very costly to fund our hardworking legal team. Now, more than ever, we need you to support NRWMAC's efforts on your behalf. Here's how you can help us:

Be a Volunteer!

The NRWMAC participates in public awareness events all around the lake and in its various communities. Volunteers are needed to help get the word out about these events, plan and assist at events, procure donations of time, fundraising merchandise, and dollars, and, of course, help share the NRWMAC goals with our event guests.

Contact NRWMAC today to help

Save the Dragon!

- Email: info@nrwmac.org
- Phone: 805.591.4738
- <https://nrwmac.org/get-involved>

Get the Word Out!

We need help from Lake Nacimiento property owners and lake enthusiasts, as well as Paso Robles and San Luis Obispo County individuals and business leaders to raise public awareness of the NRWMAC's struggle and lawsuit. We welcome and appreciate people at all levels, local, state and national, contacting us with offers of support. You can reach us at info@nrwmac.org.



Make a Donation Today

Most importantly, we need Paso Robles and San Luis Obispo County community members to know that monetary donations and community fundraising are greatly needed now to fund NRWMAC's legal expenses.

Generous people like you are the ONLY source of funds supporting the NRWMAC efforts to correct and hold Monterey accountable for water mismanagement at Lake Nacimiento. Even if you have previously donated, we urgently need you to keep supporting our efforts at this time with dollar donations for NRWMAC's legal expenses.

Your donation, in any amount, can be made at the following locations: Thank you!

GoFundMe



www.gofundme.com/lake-nacimiento-save-the-dragon

or

Private Donation

(via PayPal)



<http://nrwmac.org/donate#Private-Donation>

or

If you prefer to write a check, please make it out to NRWMAC and mail it to: NRWMAC, PO BOX 398, Paso Robles, CA 93447.