



## January 2023 NEWSLETTER

### Inter-Lake Tunnel Update

Incase you didn't receive it, Monterey County Regional Water Agency (MCRWA) sent out an email on January 20, 2023 notifying "interested parties" that the Inter-lake Tunnel and Spillway project "Draft Environmental Impact" report (EIR) has been released, and that the public review and comment period has started.

The public review and comment period is open from January 20 2023 through March 10 2023, with two public meetings to be held, as well as written comments accepted during this period.

#### The two meetings will be held:

**February 1, 2023**, 5:30 p.m. to 7:30 p.m.  
Bradley Elementary School,  
65600 Dixie Street, Bradley, CA

**February 2, 2023**, 5:30 p.m. to 7:30 p.m.  
Greenfield City Council Chambers,  
599 El Camino Real, Greenfield, CA

The Draft EIR and associated documents are available on the MCRWA website located here:  
<https://www.co.monterey.ca.us/government/government-links/water-resources-agency/projects-facilities/interlake-tunnel>

These documents along with webinar information for the meetings are also available on the NRWMAC website:  
<https://nrwmac.org/2023/01/23/interlake-tunnel-update-draft-eir-released>

and at the NRWMAC Knowledge Base:  
<http://nrwmac.org/knowledge-base>

While NRWMAC believes that the Inter-lake Tunnel could be a *VERY* good resource for the lake and water management, the concern of NRWMAC is why would MCRWA want the tunnel so deep? If

the objective is to capture the 27,000 to 35,000 acre-feet of potential annual spill, it can be accomplished with the tunnel at the higher elevation. There appears to be no reason for transferring water to San Antonio when Nacimiento is only at 35% capacity (745 ft).

Operationally, an agreement needs to be in place that clearly outlines the rules of operation of the lakes after the tunnel is installed. NRWMAC must be certain that new operational rules protect Nacimiento from unnecessary transfers.

NRWMAC fully supports the Inter-lake Tunnel Project as long as the transfers and releases benefit proper water management. More information is located here:

<https://nrwmac.org/our-story/current-projects-2/interlake-tunnel>

### Monterey County Dock Threat

Last May, NRWMAC officially requested Monterey County modify its interpretation of its dock policies, outlining what NRWMAC is opposed to.

Monterey County replied to NRWMAC's request. After reviewing Monterey County's response and Ordinance 4605, we had our attorneys submit an official formal correspondence to Monterey County, "respectfully requesting that the Agency immediately change its implementation of rules regarding non floating dock renewal fees".

Monterey County refuses to change its position.

The complete letter sent to Monterey County as well as more dock information can be found at the NRWMAC Knowledge Base here, under MCRWA Dock Fees:

<http://nrwmac.org/knowledge-base>



## NRW MAC vs Monterey County

NRW MAC continues litigation against Monterey County and its various agencies for mismanaging Lake Nacimiento and the continued erosion of the recreational rights on the lake and area.

A portion of the lawsuit has been referred to the State Water Board and continues to move forward. This referral is meant to determine, administratively, if Monterey County exceeded its yearly release quota, which NRW MAC asserts it did, based on its published releases for at least one past year. Once this portion of the lawsuit is settled, the suit will continue in the San Luis Obispo County Superior Court for the breach of contract portion of the lawsuit.

We shall provide more information on the status of this lawsuit as soon as we can.

## A Moving Target

We talk a lot about water amounts and you hear the terms “acre foot” and “cfs” thrown around a lot, but what are those and what do they really mean to the lake?

The term “acre foot” means “enough water to cover an acre of land one foot deep” and is the equivalent of roughly 326,861 gallons of water. Roughly the amount of water to supply the annual indoor and outdoor needs of one or two households.

The term “cfs” or cubic feet per second, is used a lot in reference to releases, and calculation of water flow at a specific point. One cfs is 7.46 gallons per second. To put that into some perspective, one cfs in volume is roughly the size of a basketball, and a wide open fire hydrant is approx 3 cfs.

Some typical numbers we hear and use at Lake Nacimiento are:

60 cfs which equals:

118.6 acre feet per day, or  
 38,776,320 gallons per day

400 cfs which equals:

791.6 acre feet per day, or  
 258,508,800 gallons per day

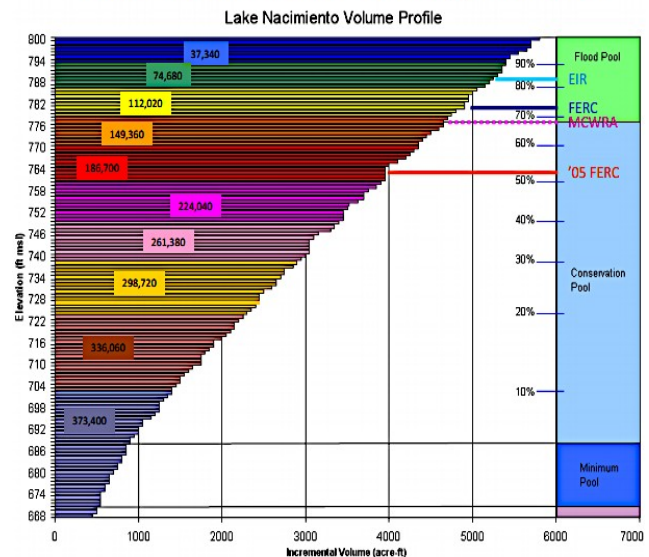
The dam at Lake Nacimiento has the potential to release 105,000 cfs of water, which equals:

207,606 acre feet per day, or  
 67,858,560,000 gal per day

Since the Lake Nacimiento storage profile is kind of like a martini glass, the elevation to acre feet is an interesting calculation, with the top twelve feet containing 20% of the lake’s water.

The following graphic shows the percentage of water at a given lake elevation.

## Lake Nacimiento Storage Profile



A larger version of the storage profile is available at:

<https://nrwmac.org/wp-content/uploads/2022/07/Lake-Nacimiento-Storage-Profile.pdf>



## Tough on Mussels

NRWMAC realized early on that introduction of Quagga or Zebra mussels into our natural environment threatened to destroy our beautiful Lake Nacimiento. If these non-native species infest our lake, the ecosystem is permanently affected and there is currently no known means of mussel eradication without killing everything else in the lake.

In conjunction with San Luis Obispo and Monterey counties, NRWMAC created and maintains a comprehensive “Quagga Mussel Prevention” program to train screeners and require inspections for all boats entering Lake Nacimiento.

NRWMAC has certified instructors who, along with SLO County, have trained over 400 Level I Quagga Mussel inspectors who provide vessel examinations at more than thirty ramps around Lake Nacimiento.

NRWMAC is the driving force behind the “Resident Vessel Program” for watercraft permanently kept at Lake Nacimiento. We originally created this program, and along with SLO County, continue to update and implement it. This includes teaching all “Mussel Awareness Classes” to protect the lake for everyone’s use and enjoyment.

NRWMAC’s long term commitment to mussel awareness and prevention continues with ongoing muscle certification classes and awareness. If you are interested in attending the next class, please contact NRWMAC.

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



## What You Can Do

We are back in court, now in Sacramento with the State Water Board, maintaining the battle with Monterey. It's very costly to fund our hardworking legal team, and now - more than ever - we need you to support NRWMAC’s efforts on your behalf.

Generous people like you are the ONLY source of funds supporting 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.**

Please donate any amount that you can. Clicking a link below will take you directly to a donation site.

**GoFundMe:**



[www.gofundme.com/lake-nacimiento-save-the-dragon](http://www.gofundme.com/lake-nacimiento-save-the-dragon)  
or

**Private Donation:**  
(via PayPal)



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

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

And, we need you to pass this newsletter along to everyone you can think of who can help us to inform anyone and everyone who is concerned about Lake Nacimiento and our legal battle to

***Save the Dragon!***

NRWMAC needs volunteers to help get the word out, help procure time and dollar donations, sign up to help at fundraisers and events, and help inform people at information stations.

[www.nrwmac.org/get-involved](http://www.nrwmac.org/get-involved)



NRWMAC participates in events all around the lake and in various communities. Please look for our notices and events in your area, and if you have an event you would like to host, please let us know, and we can help and participate as well.

## Who to Call/Contact

We need the right people to hear about Monterey's mismanagement of Lake Nacimiento, and our fight to correct the problems they are causing to recreation and property rights.

We encourage you to write, call, or email your elected local, state, and federal officials as well as the local press. Let them know what is happening to our water, and how the lake quality and property rights have been affected by Monterey's mismanagement. The more people we reach the better chance of succeeding and making the changes needed at Lake Nacimiento.

NRWMAC's "Who to Call" contact list is on our website. It has contact information for your San Luis Obispo and Monterey County supervisors, California state representatives, the California State Water Boards and more. Go to: [www.nrwmac.org/who-ya-gonna-call](http://www.nrwmac.org/who-ya-gonna-call)

**Thank You for Supporting NRWMAC!**

## California Water Rights

Let's be clear about water rights. Water in California is protected for the use and benefit of all its citizens. **California's waters cannot be owned by individuals, groups, businesses, or governmental agencies.** Permits, licenses, and registrations give individuals and others the right to beneficially use reasonable amounts of water.

Monterey was provided a grant in 1958, based on their application to develop a first-class recreation area at Lake Nacimiento, thereby making a long-

term commitment to promote and develop recreational facilities at Lake Nacimiento.

Monterey's 1964 license statement of purpose: "Recreational use at Lake Nacimiento Reservoir within San Luis Obispo County and irrigation, domestic, municipal, industrial and recreational uses within an area of Monterey County."

In again 1996, Monterey was granted a permit subject to prior rights that *authorized specific purposes* for using the water for irrigation, industrial, municipal, **recreation**, and domestic.

There are **no percentages of water** listed in those grant rights. There is **no single group** that owns the water. In fact, there are five groups with interest rights that share the water in Lake Nacimiento and **ALL FIVE** are entitled to the water!

## The Recreation Component

The Monterey County Flood Control and Water Conservation District built Lake Nacimiento in the mid-1950s for recreation, flood control, and water conservation. The District first had to condemn and then take private properties in and around the reservoir site by eminent domain.

In part, this Act gave the District the power to condemn "lands deemed by the supervisors of the district to be **necessary or convenient for the installation, construction, use and maintenance of recreational areas or facilities including picnic grounds, play grounds, camp grounds, home sites, boats and fishing, bathing or other facilities for use by the public...**" Therefore, the provision of recreation at the reservoir **was key** to allowing the construction to commence.

To put it simply, Monterey claimed and based recreational support at Lake Nacimiento as an *equal right* to take land. They must continue to support recreation or they can face invalidating their right to that land.