

March 31, 2023
DRAFT STATEMENT OF EQUITY
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Ver. 02

For your consideration, here is the second draft of an expanded statement regarding equity:

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Groundwater in the Paso Robles Subbasin is a shared resource that the GSAs that are party to this GSP seek to manage for the benefit of all Subbasin users, consistent with their rights under the California Constitution and state statutes. The management framework established by SGMA and this GSP is inherently focused on assuring both sustainable and equitable access to and use of this shared resource.

The concept of equity is explicit in state statute. As noted on the State Water Resources Control Board website, in Water Code Section 106.3 “the state statutorily recognizes that ‘every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes.’ The human right to water extends to all Californians, including disadvantaged individuals and groups and communities in rural and urban areas.”

Achieving equitable access to Subbasin groundwater faces several challenges:

- Users are located in diverse settings relative to the Subbasin’s hydrogeology.
- Users’ water supplies are managed in diverse jurisdictional settings (a city, a community services district, a county service area, a small mutual water supply systems and individual wells in unincorporated rural areas).
- The Subbasin includes diverse land use patterns, including highly urbanized areas, rural residential lots, and both small and large irrigated agricultural operations, some of which include commercial facilities such as wineries, tasting rooms and lodging.
- Within irrigated agricultural operations – which collectively use the vast majority of groundwater – there is currently wide variation in the amount of irrigation water applied (acft/acre), depending on crop type and cultural practice.

The Legislation forming SGMA and subsequent State Legislation went to lengths to clearly state that SGMA will not change California Water Law 10720.5. (b) This

- The economic resources of individual Subbasin users vary widely.

The central premise of SGMA is that the Subbasin’s groundwater is sustainably managed and accessible to all users. Management actions in this GSP will be developed to seek equity in light of the diverse conditions noted.

Equity in achieving these goals requires that no user is precluded from maintaining reasonable access to ~~the~~ groundwater because they lack financial resources. For example, the

management objectives and minimum thresholds outlined in this GSP (Chapter 8) admit the possibility of shallow wells going dry. Such wells often serve disadvantaged residential communities and users who may be challenged to pay for improvements like deepening the well or drilling a new one. Subbasin mitigation programs for this undesirable result should account for the economic resources available to affected users. (note: In addition to the DACs Shandon, San Miguel and a portion of Paso Robles who have reliable access to drinking water, we have “communities of concern”, which overlie areas of relatively poor recharge and/or poor connectivity to other portions of the Basin, thereby facing the same challenge of continued access to water.

Issues of equity should also be addressed in the distribution of water used for irrigation on different crop production sites. All GSP management efforts (supply enhancement, demand reduction, use allocations) should provide equitable opportunity for all land owners to participate and provide equitable allocation of costs and incentives. Even with supply projects increasing Subbasin safe yield, it is apparent that reductions in agricultural pumping will be required for sustainability.

Management of the Subbasin should establish agricultural water use that could be equitably available to all potential growers, with mechanisms such as fallowing programs (MILR) fairly constructed to facilitate transfer of water use to desired growing sites.

All GSAs responsible for the development and administration of this GSP agree that the management actions established for the Paso Robles Subbasin will uphold the principles of equity outlined above.

Commented [SB1]: SSJGSA would like to keep this statement.