

# The Monterey County Herald

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## Water Project Assessments Cut

*JOE LIVERNOIS*

Monterey County has agreed to reduce fees it is assessing about 40 property owners for a project intended to greatly enhance the Salinas Valley water supply. In an agreement presented in court last week, the county agreed to the lower assessments for property owners who challenged the assessments levied for the Salinas Valley Water Project. The project's annual income from the assessments totals about \$3.9 million and the settlement reduces the amount by about \$125,000. In addition, the county would reimburse the landowners for more than \$265,000 they spent on legal fees and consultants to challenge the assessments.

The settlement, reached by attorneys for the county and the landowners, was submitted to Judge Michael Fields for approval last week. Fields ruled in November that a formula established to tax Salinas Valley property owners was flawed. The assessments were challenged by a group of landowners, mostly farmers between Chualar and Gonzales, who filed suit under the name "Salinas Valley Property Owners for Lawful Assessments." Without considering the broader issue of the assessments charged to property owners in the entire region, Fields ruled specifically for the group that filed suit, saying those landowners were being "assessed disproportionately to the amount of any benefit they receive."

The county has collected almost \$8 million to pay for construction of the Salinas Valley Water Project after landowners in the valley voted to accept the assessments more than two years ago. The water project would include construction of an "inflatable dam" on the Salinas River near Marina and reconfiguration of the existing dam at Lake Nacimiento. The project would allow the Monterey County Water Management Agency to store water down-river for use during dry summer months. The project is billed as a solution to seawater intrusion problems that plagued the underground water supplies in the northern end of the Salinas Valley.

Assessments to pay for the project vary, depending on the location of property and the perceived benefits. Representatives of the organization that challenged the assessments said they support the water project, but believe the assessments on their properties were too high. Seawater intrusion poses no threat to farmers in the lower end of the Salinas Valley, for instance, yet they are being charged high rates to pay for the project, they said. Depending on the location of properties, assessments for the project range from \$4.09 to \$24.93 an acre. Some members of the group that challenged the assessments pay the highest rate. According to the stipulated settlement, the property owners who pay the higher assessments will have their tax reduced by about \$13 an acre.

The settlement also includes language that prevents the county from raising assessments to other property owners to make up the county's loss of revenue resulting from the agreement. Curtis Weeks, general manager of the water agency, said officials would seek a large loan from the state or other low-interest financing to make up for the reduced income.

"I'm pleased the county and the plaintiff group reached a settlement," said Andrew Hitchings, a Sacramento attorney representing the farm group. The important thing about this is that the agreement stipulates that assessments to other property owners will not go up."