



## SANTA CRUZ MID-COUNTY GROUNDWATER AGENCY (MGA)

Thursday, May 16, 2019 - 6:30 p.m.

Simpkins Family Swim Center

979 17th Avenue, Santa Cruz, California

### JOINT MEETING OF THE BOARD AND THE GROUNDWATER SUSTAINABILITY PLAN (GSP) ADVISORY COMMITTEE

#### MGA BOARD MEETING MINUTES

**1. Call to Order**

The meeting was called to order at 6:30 by Chair LaHue.

**2. Roll Call**

Board members present: Mr. Abramson, Mr. Benich (Alternate), Dr. Daniels, Dr. LaHue, Mr. Kennedy, Mr. Kerr, Ms. Matthews, Ms. Violante (Alternate).

Board members absent: Mr. Baskin, Supervisor Friend, Supervisor Leopold, Mr. Marani, Mr. Romanini.

Staff present: Mr. Bracamonte, Mr. Duncan, Ms. Menard, Mr. Ricker, Mr. Carson, Ms. Ryan, Ms. Pruitt, Ms. Partch.

Others present: In addition to named board and staff, several members of the Santa Cruz Mid-County Groundwater Agency (MGA) Groundwater Sustainability Plan (GSP or Plan) Advisory Committee and approximately four members of the public.

Roll call for the Joint Meeting is provided in the Meeting Summary, MGA GSP Advisory Committee Meeting # 19, May 16, 2019.

**3. Oral Communications**

Member of the public Becky Steinbruner spoke in opposition to apparent Santa Cruz Mid-County Groundwater Agency (MGA) support for Pure Water Soquel, a project of the Soquel Creek Water District (SqCWD).

Member of the public Tom Stumbaugh spoke in opposition to SqCWD actions and/or statements concerning Pure Water Soquel.

**4. Consent Agenda**

4.1 Approve Minutes from March 21, 2019 Board Meeting (No Memo)

Member of the public Becky Steinbruner stated that the March 21, 2019 draft minutes did not include her objections to the proposed MGA email policy and the potential impact of its 60-day retention period.

MOTION: Mr. Kerr; Second, Dr. Daniels. To approve the meeting minutes from March 21, 2019. Motion passed with one abstention (Ms. Violante).

## 5. General Business

### 5.1 Approve Revised MGA Email Policy

Staff reported the MGA Email Policy (Policy) was revised following Board direction at the March meeting. The Board had also directed staff to confer again with legal counsel regarding a 60-day retention period for any emails not proactively saved.

Staff reported that Counsel confirmed that 60-day retention of emails is the policy of the County of Santa Cruz (County) and that Counsel was unaware of California court ruling on email retention periods. Counsel stressed to staff that while emails that are saved become, by definition, part of MGA records, email communications themselves do not constitute MGA records.

The staff memo recommends that the Board adopt the revised Policy or provide direction regarding a preferred retention period.

Staff reported that MGA email addresses of private well owners representatives on the Board are now posted on the MGA website. Invitations were sent to all Advisory Committee members not affiliated with a member agency, several of whom now also have MGA email addresses on the website. A general GSP Advisory Committee email on the website will be directed to staff, with messages forwarded as appropriate.

At the March meeting, Director Romanini questioned whether, once deleted, an email could nevertheless be retrieved. Staff stated the emails are administered under the G-Suite platform, and that staff's understanding is that the rolling purge of emails would result in the permanent deletion of the emails.

What are the retention periods for the board members that are associated with a member agency?

- Each retention period defaults to that of their agency, so the retention periods vary.

Does this satisfy the issues raised by Director Baskin at the March meeting?

- Part of the motion was to confirm the County’s policy and to inquire regarding any court rulings on similar email retention policies. This was done.

Member of the public Becky Steinbruner objected to terms and conditions required to send an email to a MGA email account, stating the public is still unable to communicate with the Board or the Advisory Committee.

- Staff responded that the “terms and conditions” referred to are generated by an individual’s personal email service provider (e.g., Yahoo) and have nothing to do with the ability to send an email to an MGA email address. Email addresses on the site are hyperlinked to launch a user’s email application (e.g., Outlook, Gmail, etc.); this is a common practice done for convenience. Individual addresses will be added for the Advisory Committee members to make it easier to cut and paste the email address into an individual’s browser.

MOTION: Dr. Daniels; Second, Ms. Mathews. To approve the revised MGA Email Policy. Motion passed unanimously.
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## 5.2 Approve Annual Budget for Fiscal Year (FY) 2019-2020

The preliminary budget came before the Board in March. Staff reported that the final budget is similar to the preliminary budget with a few changes.

The new format shows reserves at the beginning and ending of the fiscal year. The main sources of operating revenue are annual member agency contributions and grants, including the \$1.5 million grant from the Department of Water Resources (DWR), of which \$1.35 million is included in the 2019-2020 budget. The operating expenses are included in Tables 1 and 2; Table 1 provides an overview, and Table 2 provides a more detailed breakout across the different categories.

Changes from the preliminary budget include higher expenses for monitoring and reporting. The 2018/2019 budget included \$25,000 in this category, but that is not expected to be spent this year. These funds will be used for the preliminary work to move shallow monitoring and stream gages, which will be done by consultants. This work will still be done within the grant, and for the same amount, but now some of the work is anticipated take occur this year, and some next year.

Under GSP Development, the expenses for Montgomery & Associates in the current year have increased, with a corresponding decrease in 2020.

Agency contributions were revised based upon the revised budget total and are approximately \$50,000 less than projected in the preliminary budget presented in March. The proposed methodology for determining cost allocation remains the same in FY 2019-2020. The total member agency contributions is \$650,000; SqCWD will contribute 70%, and the other member agencies 10% each. There remains a 5% contingency in recognition of the uncertainty of some costs.

There is also uncertainty regarding staff costs in the second half of 2019, after the Plan is submitted to DWR. The executive team is engaged in ongoing discussions regarding staffing and will come back to the Board. The intent remains to budget conservatively so there is not a need to go back to the agencies for additional funds.

A Director reported that while attending the Groundwater Committee of the Association of California Water Agencies it was announced that DWR has opened a third round of funding for GSPs. The MGA could apply for \$500,000, and would be favored because this is a high priority basin.

- The executive team has discussed this and is looking at monitoring wells and stream gages as good targets for this potential funding.

MOTION: Ms. Mathews; Second, Mr. Kennedy. To approve annual budget for fiscal year (FY) 2019-2020. Motion passed unanimously.

### 5.3 Approve Contract for Administrative and Staff Support from the Regional Water Management Foundation in FY 2019-2020

The executive team recommended approval of this contract as the work of the MGA relies upon RWMF staff support. Staff acknowledges the uncertainty regarding the level of planning support that will be needed after the completion of the GSP. It is expected this will be a matter for further discussion as the year proceeds. The motions require the Board to authorize the Board Chair to execute the contract and the District General Manager to sign a purchase order.

Member of the public Becky Steinbruner expressed appreciation for the work of the RWMF staff, and requested neutrality with regard to any projects being proposed within the boundaries of the MGA.

MOTION: Dr. Daniels; Second, Ms. Mathews. To approve contracting for administrative and staff support from the Regional Water Management Foundation in FY 2019-2020. Motion passed unanimously.

### 5.4 Accept Semi-Annual Groundwater Monitoring Report

Cameron Tana, a Principle Hydrologist with Montgomery and Associates, provided the twice-yearly look at the coastal groundwater condition, primarily with regard to seawater intrusion. The risk of seawater intrusion is the primary reason the basin is considered in critical overdraft.

Pumping is the factor that has the biggest impact on coastal groundwater levels and the risk of seawater intrusion. Data has been collected on municipal pumping and how that affects groundwater levels over time. Over the past few years, coinciding with a reduction in municipal pumping, coastal groundwater levels recovered so that a number of the coastal groundwater wells reached a protective elevation to prevent seawater intrusion. Not all coastal groundwater wells recovered, which is why the basin is still considered to be in overdraft. Groundwater pumping has ticked up over the past year, and the data shows a corresponding drop in coastal groundwater levels. One of the wells that had achieved a protected elevation is now below protected elevation.

The basin is still considered in overdraft, and more so now than last year.

The report also covers groundwater quality conditions with respect to seawater intrusion. The data does not show new seawater intrusion, but at one well the salt concentration had increased, at a level above the minimum threshold.

On Page 5 of the report, Rainfall and Recharge, is that total recharge, or recharge that basically has not gone into rivers or the ocean?

- It is total recharge.

Member of the public Becky Steinbruner questioned how pumping could have gone up over the last year when District data, as well as information from the City of Santa Cruz, show production levels consistently going down. She also referred to data in the SkyTem report that stated all of the areas in the basin had recovered, despite issues still in La Selva Beach, which is close to another basin.

A Director referred to three graphs on Page 58, which show SqCWD pumping has gone up a bit, and that the City did more pumping this year than in the previous year.

Graphs presented at a SqCWD board meeting also show a continual pick-up in pumping. The data also show that there are at least five wells within the basin that are below protective levels.

<p>MOTION: Dr. Daniels; Second, Mr. Kennedy. To accept the semi-annual groundwater monitoring report. Motion passed unanimously.</p>
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**6. Informational Updates**

6.1 Treasurer's Report

Staff reported that the Treasurer was unable to attend, but any questions could be forwarded for responses.

6.2 GSP Advisory Committee Meeting Summaries for February 27, 2019  
and March 27, 2019

Member of the public Becky Steinbruner repeated a request previously made to the GSP Advisory Committee for a public outreach event for small water companies before the GSP rollout in July.

**Adjournment**

MGA Board business meeting adjourned by Chair La Hue at 7:13 p.m.

The proceedings of the Joint Meeting of the MGA Board and GSP Advisory Committee are captured by the Meeting Summary, MGA Board and GSP Advisory Committee Meeting #19.