

**SANTA CRUZ MID-COUNTY GROUNDWATER AGENCY (MGA)**  
**Meeting Minutes**  
**May 19, 2016**

**1. Call to Order:** Mr. Jaffe called the meeting to order at 7:05 p.m.

**2. Roll Call**

**Present:** C. Abramson, J. Benich, B. Daniels (for T. LaHue), Z. Friend, B. Jaffe, J. Kennedy, J. Kerr, D. Lane, R. Marani, C. Mathews, J. Ricker (for J. Leopold)

**Absent:** T. LaHue, J. Leopold

**Staff:** T. Carson, R. Duncan, R. Menard, S. Ryan, M. Schumacher,  
L. Strohm, J. Townsend

**Others:** There were approximately 16 members of the public in attendance.

**Presentations:** There were no presentations.

**3. Public Hearing**

- 3.1 Hold a Public Hearing Regarding the MGA's Intent to File with the State to be Designated as the Groundwater Sustainability Agency for the Santa Cruz Mid-County Groundwater Basin

The public comment period was opened.

Name: Doug Deitch, private well owner; Executive Director, Monterey Bay Conservancy

Comments: Mr. Deitch expressed his objections to the process to date of private well representation. He referenced his testimony to the State Water Resources Control Board citing minute 11:00 at [www.thebestthatmoneycantbuy.org](http://www.thebestthatmoneycantbuy.org). He stated that there has not been an equitable process in selecting the Private Well Owners (PWO) and questioned how they were selected. He added that the City of Santa Cruz should have one representative and that it will be 20 years before something has to be done. He then referenced water levels, his application to serve as part of the Basin Implementation Group, and asked the group to review the handout he provided. Mr. Deitch urged the group to enforce existing groundwater sustainability laws, and mentioned that groundwater emergencies are supposed to be considered through a public hearing process. Mr. Deitch noted that the last public hearing was in 2014, and that there is a well ordinance that makes it illegal to overdraft water basins. For the last thirty years, the California Coastal Commission (CCC) should have been ensuring that basins were not over drafted. He expressed a need for PWO to advocate for following the law and the local coastal plan. Mr. Deitch directed the group to [www.lawandorderliberal.net](http://www.lawandorderliberal.net), [www.ourinconvenienttruth.net](http://www.ourinconvenienttruth.net), and his letter requesting Charles Lester's resignation from the CCC. He suggested that fallowing acres in the Pajaro Valley would stop saltwater intrusion. He closed by highlighting the \$11 billion available under Proposition 1 and reallocated rail funds.

Name: Brian Lockwood, Live Oak Resident; Senior Water Resources Hydrologist, Pajaro Valley Water Management Agency (PVWMA)

Comment: Mr. Lockwood provided comment as a resident of Live Oak and someone who is close to the water business. He expressed his opinion that with the challenges to keeping growth and conservation going, this group has done a great job of reaching out to the community as a whole. He continued that it is in the best interest of the area for this group to become the local Groundwater Sustainability Agency (GSA), and that as a resident of Live Oak he fully supports that decision. Mr. Lockwood then spoke as a representative of the PVWMA and alluded to the long history of collaboration of people in the room which has been going on for decades. This collaboration is at the heart of what this group is trying to do, namely to help local agencies reach sustainability goals through collaboration. He closed by adding that the Pajaro Valley GSA looks forward to continued collaboration through data sharing and interbasin agreements. Mr. Lockwood reiterated his support for this group to become the GSA and noted that the PVWMA supports the group as well.

Name: Elaine Rohlfes

Comment: Ms. Rohlfes asked about the difference between an aquifer and a basin, and expressed her hope to learn something here. She asked whether she was in the right place, and added that it looks like this is a big business meeting. Ms. Rohlfes stated that she does not understand the language being used and questioned whether this gathering was going to be helpful. If not, she asked where to go to learn more about groundwater management in the area.

Mr. Jaffe responded that he appreciated her feedback, and that the group will need to ensure there is enough information available online and in person for those that may be new to the process. Mr. Duncan offered to follow up personally with Ms. Rohlfes. There will be other opportunities for public input and engagement on the options and solutions that will be part of the process getting underway in the fall.

MOTION: Mr. Lane; Second: Mr. Daniels. To close the public hearing. Motion passed unanimously.

### 3.2 Board Action Following Public Hearing on Filing with the State to be Designated as the GSA for the Santa Cruz Mid-County Groundwater Basin

Mr. Jaffe noted as a point of order that the group should approve the bylaws before proceeding. Ms. Menard reviewed the process for becoming a GSA, and circulated a revised letter to the state with language from Cameron Tana at HydroMetrics WRI regarding the basin boundaries. The group proceeded to item 6.1 and then returned to this motion below.

MOTION: Mr. Lane; Second: Ms. Mathews. To approve the attached resolution and authorize the chair to sign the letter and add attachments as necessary. Motion passed unanimously.

## 6. **Administrative Business**

### 6.1 Review and Take Action to Adopt Agency Bylaws or Provide Direction for Further Revisions for Consideration by the Board at its July 21, 2106 Meeting

Ms. Menard reviewed the work of the bylaws subcommittee to date and the bylaws generally. The group agreed on the need to create an ethics policy and conflict of interest policy as future actions to be adopted at a later date. Suggestion for a future amendment, to have ethics training as a requirement for all members that can be completed online.

On p. 73 item 5.1, are temporary board committees subject to the Brown Act?

- The group reviewed the number of people required for financial decisions related to the Brown Act. The current Joint Powers Authority (JPA) requires 7 members to be present, but the group recommended changing it to 6 and having an attorney review this section further as a future action item.
- Any staff members present do not count towards the 6 members required.
- Short term non-Brown Act subcommittees can make recommendations, but cannot vote on final decisions or substantive items. Those must come to the full board as public agenda items.

On p. 76 inspection rights item 9.3 there is a typo

- Correct 8.2.2 to read 9.2.2.

What does “make extracts” mean?

- In this context it is intended to mean excerpts or partial copy.

MOTION: Mr. Daniels; Second: Ms. Mathews. To adopt agency bylaws with the changes recommended above. Motion passed unanimously.

## 4. **Oral Communications (Items not on the Agenda)**

Mr. Daniels reported on an issue raised at the Association of California Water Agencies conference. Having a group with some individuals from agencies and others not could violate Proposition 218 since agencies would be spending rate payer money benefiting others that are not paying. He added that the group should design a funding solution sooner than later.

Mr. Marani shared that other basins are fighting over who represents PWO and taxation without representation. He suggested getting legal input in the future. The group discussed the need to identify the relationship with PWO before establishing fees, the benefit to the county as a whole of a sustainably managed basin, and the need to represent different types of wells in the future.

Mr. Daniels reported that the Soquel Creek Water District Board has hired a consultant to complete an Environmental Impact Review of a supplemental water

supply option, the Advanced Purified Groundwater Replenishment Project, in the next 18 months.

Mr. Jaffe and Mr. Ricker attended the Santa Margarita Groundwater Advisory Committee meeting on May 11<sup>th</sup> and reported that the group wants to know about the MGA's process.

**5. Consent Agenda**

- 5.1 Approve Minutes of the March 17, 2016 MGA Meeting
- 5.2 Approve Agreement with Community Foundation for Staffing Services
- 5.3 Approve Letter of Representation with the County Counsel for Legal Services
- 5.4 Filing Notifications to Establish the MGA via a JPA

MOTION: Mr. Lane; Second: Ms. Mathews. To pass the consent agenda as amended by removal of item 5.1. Motion passed unanimously.

**Items Removed from the Consent Agenda:**

- 5.1 Approve Minutes of the March 17, 2016 MGA Meeting

Replace Ms. Menard with Ms. Mathews where she seconded on p.47 of 112.

MOTION: Ms. Mathews; Second: Mr. Ricker. To approve the minutes of March 17, 2016 as amended. Motion passed unanimously. Abstentions: Mr. Daniels, Mr. Lane.

**6. Administrative Business Continued**

- 6.2 Appointment of Board of Director Representatives of PWO

MOTION: Mr. Daniels; Second: Ms. Mathews. To reappoint the present PWO representatives. Motion passed unanimously.

The group discussed the need to assuage potential public perception that the agencies are picking PWO that have the same views that they do, and acknowledged that the goal was to have diverse views represented during the selection process. One suggestion was to require applicants to get 20 signatures from their neighbors. It is possible that the PWO might organize themselves in the future and form an association that promotes specific representatives. Ultimately the agencies have to select the representatives.

How were the PWO selected?

- 25 people applied, the subcommittee narrowed the group down to 10 applicants that represented a range of viewpoints.

Where was the position posted?

- At each of the eight public meetings, and with notices in the paper.

- The group acknowledged that the process for getting the word out could be improved in the future.

MOTION AMENDED: Mr. Daniels; Second: Ms. Mathews. To reappoint the existing PWO representatives, and designate two appointees with two year terms and one appointee with a four year term – who serves what terms (4 year vs. 2 year) will be determined at the next meeting. Motion passed unanimously.

The group needs to appoint an alternate PWO by the next meeting, how will that be handled?

- There was a suggestion made to look at the list of original applicants that were rated and contact the next person in line to see if they are still interested in participating.
- The group agreed by consensus that staff should proceed as indicated above outside of this meeting.

### 6.3 Approve Report from HydroMetrics WRI titled “Shallow Groundwater Elevation”

The group discussed the analysis presented in the report and the potential significance of the findings.

MOTION: Ms. Mathews; Second: Mr. Kennedy. To accept the report from HydroMetrics WRI titled “Shallow Groundwater Elevation.” Motion passed unanimously.

## 7. Information Items

### 7.1 Additional MGA Contributions

Mr. Duncan reviewed the memo submitted for this item.

## 8. Oral Reports

### 8.1 Board Member Reports

None

### 8.2 Staff Reports

Mr. Ricker noted that the county is working with the Department of Water Resources to finalize a grant for counties with distressed water basins. They are in the process of finalizing the work plan and expect to start work in July.

When can the group expect the groundwater model from HydroMetrics WRI?

- Hopefully at the end of the summer, they are currently incorporating various climate change scenarios and resolving coding issues.

The Groundwater Resources Association of California will be hosting an event on June 8-9<sup>th</sup> in Sacramento on “Developing Groundwater Sustainability Plans for Success.” For more information go to: <http://www.grac.org/june-sigma.asp>.

Ms. Menard reported that the Senior Water Resource Planner position has been open for three weeks and the deadline may be extended. She reviewed the hiring process and next steps regarding transitioning into the plan development stage.

Staff circulated an electronic mailing list signup sheet to members of the public.

Why HydroMetrics WRI?

- The Soquel Creek Water District will reassess next year, the decision was made with input by experts and the District’s technical oversight committee.
- There are overlapping models on each side of Santa Cruz Mid-County Groundwater Basin. Ultimately these models are all going to have to be consistent with each other, the process of selecting which ones to use will be an ongoing process.

Mr. Friend raised a point of order, namely that the group should only discuss items listed on the agenda moving forward.

## 9. **Adjournment**

The meeting adjourned at 8:22 p.m. The next meeting will be held at 7:00 p.m. on July 21<sup>st</sup> a location to be determined and posted at [www.midcountygroudwater.org/](http://www.midcountygroudwater.org/).

SUBMITTED BY:

APPROVED BY:

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Julia Townsend, Program Associate  
Regional Water Management Foundation

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Cynthia Mathews  
Board Secretary

SWRCB Board Meeting - April 19, 2016



4/19/16

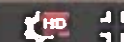
## Public Forum

SWRCB Board Meeting

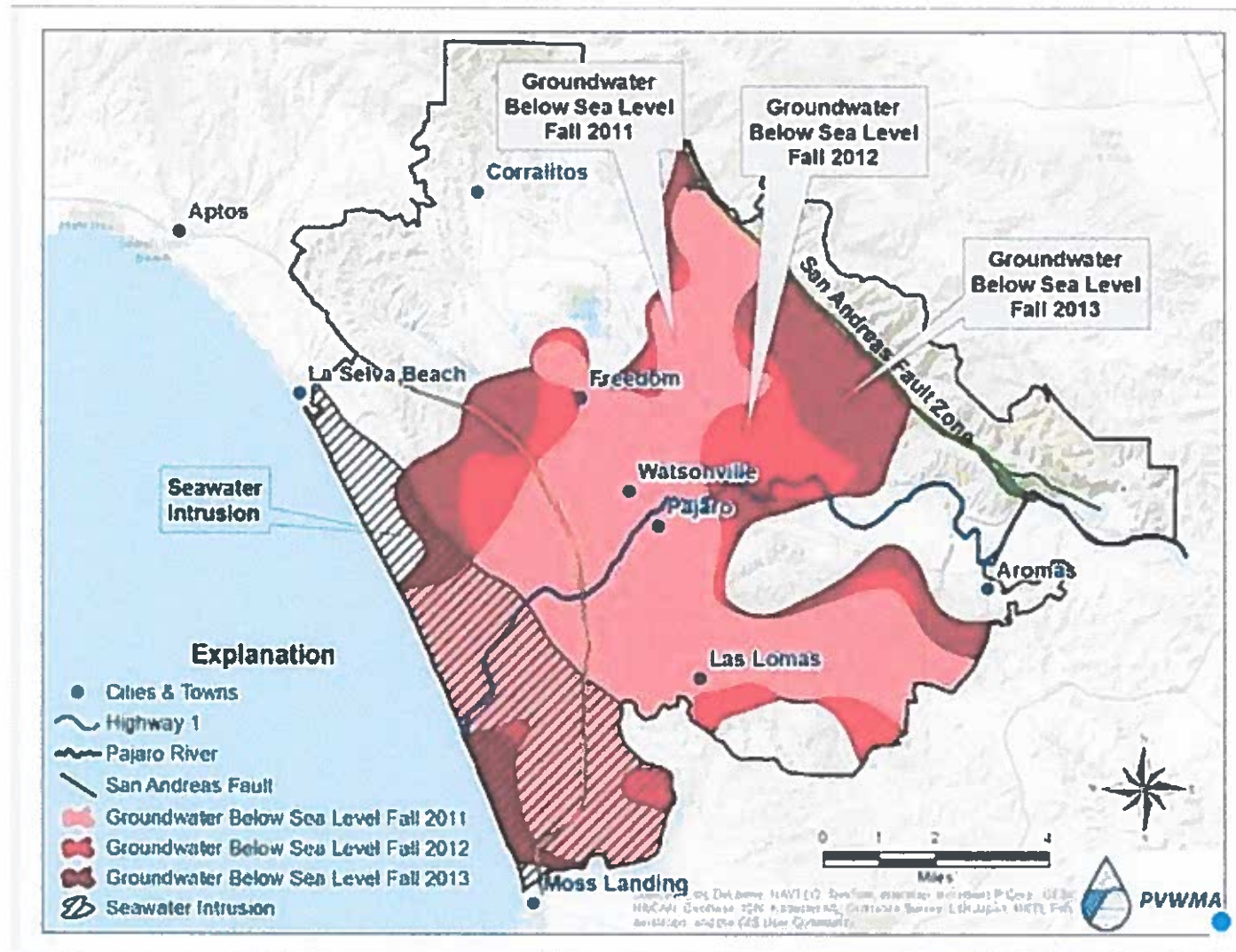
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COUNTY OF SANTA CRUZ

701 OCEAN STREET SANTA CRUZ CALIFORNIA 95060

April 24, 1981

Douglas Deitch  
3540 Porter Gulch Road  
Aptos, CA 95003

Dear Mr. Deitch:

I appreciate very much your application to serve on the Water Advisory Commission. I have recently made an appointment to the Commission, but hope that you will retain your interest in the needs and problems concerning water. I would like to be able to call upon your help in the future. Your willingness to serve our community is greatly valued.

Sincerely yours,

*Robley Levy*

ROBLEY LEVY, Supervisor  
Second District

RL:sf

Central Valley locales sinking 2 inches a month as groundwater ...

<http://www.santacruzsentinel.com/general-news/20150819/centr..>



U.S. Geological Survey hydrologist Michelle Sneed is photographed at a ground water monitoring well along the Delta-Mendota Canal Tuesday, Feb. 11, 2014 near Los Banos, Calif. Damage to the canal from possible ground water subsidence is being studied by the agency. (Aric Crabb/Bay Area News Group)

By Lisa M. Krieger, [lkrieger@mercurynews.com](mailto:lkrieger@mercurynews.com)

Posted: 08/19/15, 6:37 PM PDT | Updated: on 08/19/2015

#### [5 Comments](#)

Satellites measuring the great Central Valley reveal that the land is dropping faster than ever before, as the state's devastating drought causes thirsty Californians to drain a subterranean reservoir.

Some places are sinking almost 2 inches a month, a trend that so alarms officials that they are urging regulation of new wells.

"The most important thing that can happen is for counties to pass or strengthen ordinances that limit over-pumping," California Department of Water Resources director Mark Cowin, said at a Wednesday morning press conference releasing the new data, collected by the National Aeronautics and Space Administration. "It will take that kind of action to have any real effect."

Last year, the state created a framework to regulate groundwater — the first time in state history — but it won't be fully implemented until 2020. And then it will take a decade or two for water levels to rebound, Cowin said.

NASA found two "hotspots" of greatest subsidence. One was near the town of Corcoran, between Fresno and Bakersfield. Another was near the town of El Nio, near Chowchilla.

The scientists also found areas near the California Aqueduct sank up to 12.5 inches, with eight inches of that occurring in just four months of 2014.

Subsidence has already damaged wells, roads, bridges and aqueducts — and further sinking has the potential to damage them still more, according to authorities. Already, changes in elevation mean that state irrigation water must be moved into the Delta-Mendota Canal from behind the Mendota Dam, located at the confluence of the San Joaquin River and Fresno Slough, said Jeanine Jones, DWR's deputy drought manager and interstate resources manager.

"Because of increased pumping, groundwater levels are reaching record lows — up to 100 feet lower than previous records," Cowin said in a prepared statement. "As extensive groundwater pumping continues, the land is sinking more rapidly and this puts nearby infrastructure at greater risk of costly damage."

The floor of the fertile Central Valley is filled with deep layers of clay, sand and gravel, left by ancient lakes and streams. Between these layers is fresh water, called aquifers.

As water is extracted, the layers' loose clay particles compress, stacking like pancakes. Then the heavy ground above them collapses. Even when the aquifer recovers, the ground may stay damaged, capable of holding less water.

NASA obtained the subsidence data by comparing satellite images of the Earth's surface over time.

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## Bullhorn:

Weighing in on the desal debate, Doug Deitch of the Monterey Bay Conservancy and multiple runs for supervisor wonders why nobody mentions a 1987 well ordinance that could have been invoked to stop aquifer overdraft.

By Douglas Deitch

ON JAN. 6, 1987, then-Supervisor chairman Gary Patton signed into law the "County Well Ordinance." This law, one of many conceived and designed by Mr. Patton, was intended to protect our groundwater from contamination from a number of possible causes. In this ordinance, saltwater intrusion from basin overdraft was and still today is specifically noted and covered by this law.

Mr. Patton's law was carefully crafted by him as a part of our local coastal plan so, notwithstanding the promise of desalination or anything else, the natural limit of local water supplies could not legally be ignored by our supervisors. This was achieved by requiring that the Board of Supervisors immediately declare a groundwater emergency and take specific remedial measures in any county groundwater basin which is in overdraft and drawing water beyond that basin's sustainable yield.

Although quite possibly all county basins were actually in overdraft in 1987, the first comprehensive County Water Resources Report in 1998 officially established these overdraft conditions in all our local aquifers. In this report, saltwater intrusion resource loss in Soquel Creek's and PVWMA's shared basin, the Aromas Red Sands, was estimated to be 15,000 acre feet of loss per year. Water use was quantified at a massive yearly 200 percent or three times overdraft, around 90 percent used and exported in 25 percent of this country's berries. No remedial or any actions have ever been taken by our supervisors, as required by Mr. Patton's law.

To replace this amount of water loss would require construction and full time operation of around seven new \$40 million to \$100 million Santa Cruz desal plants. Put another way, Soquel Creek Water District is draining the equivalent of seven desal plants a year to saltwater intrusion, year in and year out for 20-30 years, at one end of their district, and they want to partner with SCMU to build one plant by 2015 at the other end to address this problem?

Does this seem like a "sustainable" solution? We will have lost the equivalent of another 42 Santa Cruz desal plants' water by then--and that's added on to the 84 plants' worth of water officially lost since 1998! We're talking billions of dollars of our irreplaceable water supply permanently gone, expropriated from our water commons in berry product by primarily transnational tenant agribusinesses like Driscolls, Dole, CalGiant and TriCal--the Bromide Barons--and yes, UC, too. That's why the late Marc Reisner, author of *Cadillac Desert*, speaking here in 1998, described this same loss as "the worst in the world."

I have heard and read with much interest a number of Mr. Patton's recent letters and statements on the radio and in news articles in this paper last week and elsewhere relating to our water, the new desal plant, UCSC expansion, Atkinson Lane development in Watsonville and other local land use matters in the Greater Monterey Bay Region. Yet, since 1998, I have never one time heard one word from Mr. Patton mentioning his well ordinance and its requirement, crafted by him, that our Board of Supervisors declare a "groundwater emergency" and implement the reasonable and required remedial measures he designed into the law to protect our water supply for us, our children and our grandchildren. I wish he would please explain to us all why he hasn't and why he remains silent while his well ordinance and the water supplies it is designed to protect and conserve is ignored and disregarded continuously since 1998 by his successors, supervisors Wormhoudt and Coonerty, and, apparently, by himself as well.

*Aptos resident Doug Deitch is executive director of the Monterey Bay Conservancy.*

[Send a letter](#) to the editor about this story.

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**Gary A. Patton** Doug, I appreciate your consistent efforts to draw attention to the importance of the Santa Cruz County ordinance you are citing to in this comment. If you will notice, the action taken on January 6, 1987 would have been a consent agenda final adoption of an ordinance debated and adopted preliminarily at an earlier meeting. I don't, in fact, remember the genesis of this item, which you have always attributed to me. Maybe that isn't correct. On January 6, 1987, I signed the ordinance on behalf of the Board, since I was the Chairperson. That doesn't mean that I actually did anything special, and the "Patton Record" was my (not infallible) effort to document those items for which I could claim some personal responsibility, and that I thought important when I did the recording. Probably, I just omitted a reference that in retrospect I should have placed within the listing; or possibly I had nothing at all to do with the ordinance, in terms of personal leadership, and so omitted it from the list on that basis. At any rate, I am glad that this ordinance exists, and I tend to agree with you that those in charge of Santa Cruz County government at the current moment would do well to think about utilizing its provisions.

March 27 at 9:26am · [Unlike](#) ·  5

ORDINANCE NO. 3806

AN ORDINANCE REPEALING EXISTING CHAPTER 7.70 RELATING TO WATER WELLS AND ADDING NEW CHAPTER 7.70 RELATING TO WATER WELLS

SECTION I

Chapter 7.70 of the Santa Cruz County Code is hereby repealed.

SECTION II

Title 7 of the Santa Cruz County Code is hereby amended by adding Chapter 7.70 thereto, said new Chapter to read:

CHAPTER 7.70

Sections:

- 7.70.010 Purpose of Provisions.
- 7.70.020 Definitions.
- 7.70.030 Permit—Required—Issuance.
- 7.70.040 Permit—Expiration
- 7.70.050 Permit—Suspension or Revocation.
- 7.70.060 Licensed Contractor Required.
- 7.70.070 State Reporting.
- 7.70.080 Inspections.
- 7.70.090 Technical Standards.
- 7.70.100 Special Groundwater Protection.
- 7.70.110 Pajaro Groundwater Protection Zone.
- 7.70.120 ~~Sequel Creek Service Area Restrictions.~~
- 7.70.130 Groundwater Emergencies
- 7.70.140 Abatement—Investigation.
- 7.70.150 Abatement Generally.
- 7.70.160 Nuisance—Abatement of Safety Hazard.
- 7.70.170 Variances.
- 7.70.180 Amendments.

7.70.010 Purpose of Provisions.

It is the purpose of this chapter to provide for the construction, repair, and reconstruction of all wells, including cathodic protection wells, test wells and monitoring wells, to the end that the groundwater of this county will not be polluted or contaminated and that water obtained from such wells will be suitable for the purpose for which used and will not jeopardize the health, safety or welfare of the people of this county. It is also the purpose of this chapter to provide for the destruction of abandoned wells, monitoring wells, test wells, and cathodic protection wells found to be public nuisances, or when otherwise appropriate, to the end that all such wells will not cause pollution or contamination of groundwater or otherwise jeopardize the health, safety or welfare of the people of this county. It is also the purpose of this chapter to implement policies of the County General Plan and the Local Coastal Program Land Use Plan.

7.70.130 Groundwater Emergencies

A groundwater emergency shall be declared in areas demonstrated to be experiencing a groundwater overdraft exceeding the safe yield in order to prevent further depletion and degradation of water resources where such degradation threatens the public health, safety and welfare of the community. The emergency shall have no effect on drilling of monitoring or cathodic protection wells.

-8-

- ✓ a. Declaration. A declaration of a groundwater emergency shall be made by the Board of Supervisors only after a public hearing. Such an emergency shall be declared by resolution of the Board after the public hearing to consider all relevant information such as, but not limited to, the most current groundwater study, recommendations of water purveyors and the Water Advisory Commission and only after the following findings can be made:
  - ✓ 1. The designated area is experiencing a groundwater overdraft exceeding the long-term average annual recharge of groundwater resource;
  - ✓ 2. The creation of new wells or the expansion of existing wells will significantly increase the demand on the affected aquifer and thereby increase the overdraft; and
  - ✓ 3. The continuation of the overdraft will result in further depletion and degradation of the water resource that can lead to, but is not limited to, impairment of the aquifer or allowing the ingress of low-quality or saline waters.
- ✓ b. Immediate Measure to Alleviate. In areas where a groundwater emergency is declared, the Board of Supervisors shall take action to establish water conservation measures, to limit construction of new wells, to regulate pumping from or expansion of existing wells, and in order to prevent further depletion and degradation of the affected aquifer. In taking these actions, the Board shall give consideration to the seasonal needs of agriculture including, but not limited to, the following factors.
  - 1. Agriculture's need to repair, maintain and replace existing wells serving existing agricultural use acreage;
  - 2. Well construction for agricultural use to serve existing agricultural acreage when new parcels are created due to change in legal ownership, split parcels or parcels created by change in zoning laws or other governmental regulations; and
  - 3. The different water requirements of agricultural crops.
- ✓ c. Long-term Measures to Alleviate. The Board shall initiate actions such as, but not limited to, joint power agreements with other agencies with the goal of finding permanent solutions to the groundwater problem.
- d. Duration. A groundwater emergency and the measures enacted to alleviate the emergency shall remain in effect until rescinded as established in Subsection F of this Section.
- e. Annual Review. The establishment of a groundwater emergency and all actions to alleviate the emergency shall be reviewed by the Board of Supervisors within one year of the date of enactment of the measures at a public hearing to decide whether the declaration of emergency shall remain in effect.



Ordinance No. 3806

7.70.180 Amendments

Any revision to this chapter which applies to the coastal zone shall be reviewed by the Executive Director of the California Coastal Commission to determine whether it constitutes an amendment to the Local Coastal Program. When an ordinance revision constitutes an amendment to the Local Coastal Program, such revision shall be processed pursuant to the hearing and notification provisions of Chapter 13.03 of the Santa Cruz County Code, and shall be subject to approval by the California Coastal Commission.

SECTION III

~~This ordinance shall take effect upon certification by the State Coastal Commission, or after 30 days, whichever is greater.~~

PASSED AND ADOPTED this 6th day of January, 1987, by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES: SUPERVISORS Forbus, Levy, Mehl, Cucchiara, Patton  
 NOES: SUPERVISORS None  
 ABSENT: SUPERVISORS None

  
 Chairperson of said Board

ATTEST:   
 Clerk of said Board

APPROVED AS TO FORM:

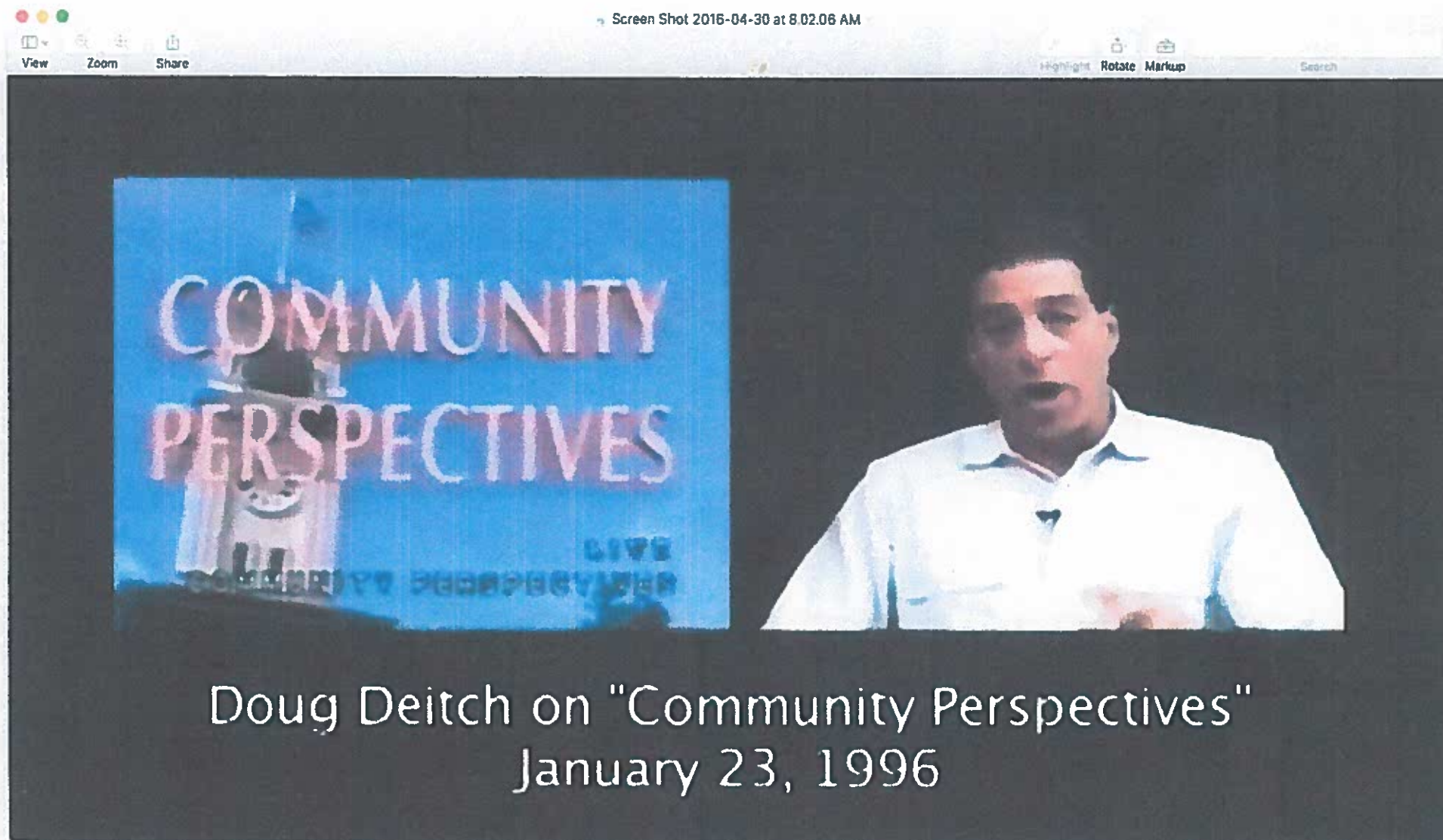
  
 County Counsel

CC:

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View at: www.fda.gov/cder/rti/rti.htm

EXHIBIT 1



January 1996

Aptos Times

# W District Update on a t e r by Dick Little

The Soquel Creek Water District stated that their well supplies are still in excellent shape in spite of an increase of Salt Water found in monitoring wells along Aptos, Seascapes and La Selva Beach coastlines.

The test results from the planning staff said an increase in salt water has been found in a monitoring well near the seashore in the Seascapes area. The increase was first noticed by the Soquel Water District in August and described as "modest."

Soquel Creek Executive Director, Laura Brown, said the district has spent a million dollars monitoring the coastal aquifer, and has given the results to the county on a regular basis.

"We have had a model monitoring program since 1981," Brown said, "and we intend to continue the program." She said the well closest to the sea near La Selva Beach has shown an increasing amount of salty water in recent years.

"It's like a river changing course," Brown explained, "Because of falling water levels in the Pajaro Valley, the water stream in the Aromas Red Sands Aquifer (which feeds into the area) is now flowing in that direction toward the Pajaro Valley, and away from the coast."

Water District consultant,

Joe Scalminini, claimed the problem is due to overdraft in the Pajaro Valley where supplies of water are being used up faster than they can be replaced.

"Brown went on to explain that the Pajaro Valley is the low part of the aquifer... (and, because of the overdraft) a salt water 'wedge' has developed... It poses no threat to (Soquel Creek) production wells," she said.

Supervisor Walt Symons added that, "I'm very concerned about the water problems in the Pajaro Valley. People along the coast have to be seriously concerned."

Watsonville city water is pumped to Pajaro Dunes, while Soquel Creek is supplying water to several other small coastal developments along San Andreas Road.

Brown said inferences that the Soquel Purisma Aquifer is in danger of salt water intrusion is overstated.

One third of the district's water supply comes from Aromas Red Sands Aquifer, while two thirds comes from the Purisma Aquifer that reportedly is a series of very large underground lakes that do not connect to the Aromas Red sands Aquifer.

Brown called the County's findings, "...Nothing new. We are currently in the pro-

cess of putting a plan together.

"We don't have a crisis," assured Brown. "Behavior in one aquifer is not a precursor to the other."

She emphasized that the two aquifers are not attached to each other. "They're not even in the same geological formation... The ground water is not the same," she added.

Symons said there is a possibility some or all of the problem has been caused by the shifting Eastern Pacific Plate. "We need to check out geodetic movement... Nobody has taken a look at these problems."

The Pajaro Valley Water Management Agency is considering a pipeline that would bring in water from an outside source to shore up the ground water supplies in their area. The Agency claimed that getting federal water from the San Felipe Project is at least ten years away.

The biggest drain on water that the county has to be more concerned about are the large housing projects that are proposed by the Redevelopment Agency. Symons pointed out, "All of the low income housing we are proposing will gobble up the water... How can you say there's no water and then say more affordable housing must be built?"

AND JURY



# COUNTY OF SANTA CRUZ

GOVERNMENTAL CENTER

P.O. BOX 542 701 OCEAN STREET  
SANTA CRUZ, CALIFORNIA 95061  
(408) 454-2099

September 20, 1999

Douglas Deitch  
3540 Porter Gulch Road  
Aptos CA 95003

Dear Mr. Deitch:

The Santa Cruz Civil Grand Jury is in receipt of your complaint dated September 3, 1999, and assigned case #SD99-104.

We will advise you of the disposition of this complaint.

Thank you for bringing this matter to our attention.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Al Richard".

Al Richard, Foreperson

# REGISIER-PAJARO

Friday, May 14, 1999 132nd Year — No. 58

News leader of the Pajaro Valley

## Opinion

Friday, May 14, 1999 — Page 4

### It's all about 'our' water, right?

I'm very concerned about our water. After reading this, I hope you will be, too. Did you notice how I said "our" water? Although I, like around maybe 2,000 of my neighbors in Sequel Creek Water District, have my own private well, it's still all "our" water. Make no mistake about it.

In case you didn't know, excluding the relatively small amount provided to the City of Santa Cruz from the San Lorenzo River, by far the largest proportion of "our" water supply in Santa Cruz County and the entire Monterey Bay Region is water stored in the ground and is supplied to us via someone's well. We don't import water. We are entirely dependent on our finite and irreplaceable underground storage in a number of different basins or aquifers. And, by the way, don't expect that the boundaries of these basins correspond in any consistent or logical way to the boundaries of the above ground agencies that oversee "our" water. They don't.

All my neighbors (including my water district, Sequel Creek Water District) and I have our straws in the same two underground reservoirs, the Purisima and the Aromas Red Sands to the south. Purisima supplies about two-thirds of SCWD's water, with Aromas Red Sands making up the rest. We all just can't see it.

SCWD customers pay for the district's services and overhead in their bills. Whether we receive service or not though, none of us pay anything currently for "our" water, like they now must in Pajaro (PVWMA). It's "free" here. History has shown us again and again how the greatest of civilizations and societies have been toppled from their heights through their foolish inattention to or their arrogant or greed-driven misallocation of their water. I would hope that we could somehow be different here. However, apparently, it looks like we must have a few historians count here at the Monterey Bay Area.

I had been basically a city dweller for all my 21 years when I married and moved to the Santa Cruz Mountains 36 years ago, and I acquired my first well, from water. Try it sometime and you'll start getting the idea about what's



Doug Deitch

Guest columnist

When I considered moving to my present home in Agnes five years later, the first thing I did was walk into the kitchen, turn on the faucet, and draw in a drink a glass of the finest I ever tasted.

My family and I have been fortunate enough to enjoy this miraculous blessing that has been freely provided to us except for small electric and equipment costs. We all in this region have been blessed by this wonderful, hidden resource which has been created over eons in geologic time by the filtering flows and storage of this most essential fluid. This abundant natural system could have operated continuously at its original productivity and would have provided our children and us with a sustainable supply for all of our reasonable needs. However, our needs were and are not reasonable. As a result of this, our underground resource, which we all must necessarily and reasonably attempt to share to sustain ourselves, cannot and will not itself be sustained.

The reason for this failure is that our needs now require that agribusiness and farming (which use 80 percent or more of our supply without any central chronically overdraw our underground storage. The massive overdraft causes approximately an annual and permanent loss of irreplaceable underground storage capacity equal to two inch *Lepidolite* worth (15,000) acre feet of water storage. The needs further require that this lands of orchard be tipped up to be replaced by water intensive fields and crops using 10 to 15 times as much water. These crops crop through and the public cost levels escalate beyond the crop's tolerance. Once polluted with salt water, wells are almost blind until they are able to drain it's chloride and make

"Free water must, by definition, cost nothing. However, there are enormous costs. We just haven't started paying them yet."

limination. Then other more in land parcels are purchased, new high production wells are punched beckoning the sea further inland yet, and pipeline is placed back to the coastal fields. That's all "our" free water being mined there.

"Free" water must, by definition, cost nothing. However, there are enormous costs. We just haven't started paying them yet. The costs are permanent, irreplaceable, massive, and annually recurring loss to the principal balance of our groundwater bank account. The district has measured salt water in coastal wells. The La Selva Beach test well chloride results exponentially degraded from 50-130 ppm (parts per million) chloride in 1993 to over 2,700 ppm in just four years in 1997. The drinking water limit for chloride is 250 ppm. Chloride in seawater is measured 10,000 ppm. So the decline of the Aromas Red Sands quickens as "our" storage is claimed by the sea.

During the past 20 years, the same Board of Directors of Sequel Creek Water District has silently stood by and passively allowed one-third of its supply in "our" southern aquifer, shared with Pajaro (PVWMA), to be drained away. This supply has supported unconscionably abusive agricultural overdrafting there. To find solutions, district directors in desperation must now seek new and ominous measures such as a new well which very possibly threatens the viability of Sequel Creek as a living waterway.

Caliente College is also impacted. The college is the largest and, after fire suppression, the most vital and essential user in SCWD's service area. The campus is a few blocks down Sequel Drive from the district's office. However, the college must, apparently, consider drilling a new well on site, due to SCWD's lack of foresight and

vice need projected to be flat for 20 years of only 1 percent of SCWD's annual production. Is there any other 14,000-plus student college, located in an urban corridor and undergoing an \$85 million expansion, located anywhere in this country being provided water service by a well? Certainly not USC.

I don't pay anything for my "free" water now. However, I'm ready to start because the solutions will be expensive. As a matter of fact, I even want to start paying at a rate at least twice as much as they are paying in PVWMA, and I'd suggest to all of you that you might want to consider this as well. I guess I knew nothing so good could really be free. The costs are very expensive now but will get only more expensive as we continue allowing our water to be used in the way we are allowing it to be used. Yes, the costs are large, but they are only being deferred to the future. The paper will be paid and the buck must stop for now at the Boards of SCWD, PVWMA, and our county supervisors.

I just hope we don't have to pay the biggest cost. Because, in the end, I believe the greatest cost for our decades of neglect of our water will be the irreplaceable loss of the unique quality of life we enjoy here, which is so much enhanced by the aesthetic and cultural landscape created by our diverse community. This community has been and is substantially grounded in a rural/agricultural base and tradition which necessarily must be changed and lost once the brutal ly managed, once abundant ground water resource which once so well sustained it and us is gone forever. I'll miss it.

Douglas Deitch is the executive director of the Monterey Bay Conservancy in Santa Cruz. These views are solely those of Mr. Deitch and not necessarily those of the Register Pa-

*View at*<http://pogonip.org/alm.htm>

BOARD OF SUPERVISORS



COUNTY OF SANTA CRUZ

GOVERNMENTAL CENTER

701 OCEAN STREET SANTA CRUZ, CALIFORNIA 95060-4069  
(408) 434-3323 ATTS 800-32700 FAX (408) 434-3322 TDD (408) 434-3123JANET K. BEAUTZ  
FIRST DISTRICTWALTER J. SYMONS  
SECOND DISTRICTMARDI WORMHOUDT  
THIRD DISTRICTRAY BELGARD  
FOURTH DISTRICTJEFF ALMOUST  
FIFTH DISTRICT

AGENDA: 6/16/98

June 12, 1998

BOARD OF SUPERVISORS  
County of Santa Cruz  
701 Ocean Street  
Santa Cruz, CA 95060RE: SETTING PUBLIC HEARING TO CONSIDER DECLARATION  
OF GROUNDWATER EMERGENCY IN THE PAJARO VALLEY

Dear Members of the Board:

There has been considerable public discussion about the status of the groundwater resources in the Pajaro Valley. On June 2, 1998, the voters in the Pajaro Valley Water Management Agency's (PVWMA) jurisdiction adopted Measure D which mandates, for a period of 10 years, that the PVWMA shall postpone design or construction of a pipeline to import water into the Pajaro Valley, impose a 10 year moratorium on the purchase by the PVWMA of water from any source outside of its boundaries, and also mandated a reduction in the augmentation fees charged to water users in the Pajaro Valley, fees which are used as a means of supporting projects to improve or develop water resources.

There seems to be little doubt that the water resources available to the PVWMA and its users are in a state of overdraft. Last week, in considering Item 53 on our Board agenda related to creation of positions in the County government to help focus the development of County water policies, we also accepted a document entitled "An Evaluation of Water Resources Monitoring and Management Efforts in Santa Cruz County." The summary of that document, made a part of the agenda item as Attachment 6, in the section entitled "Issues Specific to South County/Pajaro," made the following factual findings:

- \*2. Annual pumpage in the Pajaro Basin is 68,000 acre-feet/year. The safe yield of the basin is cited in the Basin Management Plan as 31,000 acre-feet/year. Overdraft is approximately half of demand. The PVWMA is planning to develop an additional 28,000 acre-feet/year to meet demands through the year 2040.

*61.1*



Monterey Bay Conservancy  
501 Mission Street  
Santa Cruz, CA 95060  
(831) 429-4009  
[www.pogonip.org](http://www.pogonip.org)  
Fed. ID# 10442973

## County of Santa Cruz

### BOARD OF SUPERVISORS

701 OCEAN STREET SUITE 500 SANTA CRUZ, CA 95060 4069  
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TONY CAMPOS  
FOURTH DISTRICT

JEFF ALMQUIST  
FIFTH DISTRICT

April 11, 2000

Douglas Deitch  
3540 Porter Gulch Road  
Aptos, CA 95003

Dear Mr. Deitch:

*Doug*

Thank you for your letter dated April 6, 2000, requesting that the Board reconsider the action taken at our February 15, 2000, meeting with regard to Item 61, a progress report on ongoing activities to mitigate overdraft in the Pajaro Valley. It is my personal belief that the action taken by the Board at that time was appropriate and, accordingly, I am respectfully declining your request to bring the matter back before the Board. However, I have circulated a copy of your letter to each Supervisor for their individual consideration.

Sincerely,

*Mardi*

MARDI WORMHOUDT, Chair  
Board of Supervisors

MW:ted

cc: Clerk of the Board  
Planning Department

1977A6

BOARD OF SUPERVISORS

## COUNTY OF SANTA CRUZ

GOVERNMENTAL CENTER

701 OCEAN STREET SANTA CRUZ, CALIFORNIA 95060 406  
TEL: 474 4224 FAX: 474 4220 FAX: 474 4222 TEL: 474 4222JANET K. BEAUTZ  
FIRST DISTRICTWALTER J. SYMONS  
SECOND DISTRICTMARDI WORMHOUDT  
THIRD DISTRICTRAY BELGARD  
FOURTH DISTRICTJEFF ALMQUIST  
FIFTH DISTRICT

June 19, 1998

Douglas Deitch  
Pogonip Foundation  
501 Mission Street  
Santa Cruz, CA 95061

Dear Mr. Deitch:

Thank you for your letter dated June 17, 1998, requesting that the Board set a public hearing to consider a declaration of the existence of a countywide groundwater emergency. I believe that Board members clearly understood that you felt that this matter should be considered on a countywide basis--not just with regard to the Pajaro Valley Water Management Agency. Despite this fact, there were not three votes for the recommendation of Supervisor Almquist to hold a public hearing related to the PVWMA, nor was any motion made to hold a hearing to discuss this matter on a countywide basis. However, I have provided a copy of your letter to each member of the Board for their individual consideration.

Sincerely,

  
 JANET K. BEAUTZ, Chairperson  
 Board of Supervisors

JKB:ed

cc: Clerk of the Board  
Members, Board of Supervisors  
Planning Department

102435

PAST PRESENT FUTURE?



Sunday, May 21, 2000

A9

EXHIBIT 1

**Top health official comes under fire**  
California's health chief tried to block an anti-Rite Aid ad, a drugstore chain that contributed to Gov. Davis' campaign.  
• State, Page A13

# LOCAL

Carolyn Swift, A10  
Opinion, A18-19

City editor  
Poyel Calkins  
429-2410

## Water activist sues county board

By DAN WHITE  
Sentinel staff writer

SANTA CRUZ — Doug Deitch, an unsuccessful candidate in this year's Board of Supervisors race, is suing the board, saying it has been negligent in its handling of the Pajaro Valley's water troubles.

Deitch, a property manager, made water issues the center of his supervisorial campaigns in 1996 and again this year, losing both times by a wide margin.

Deitch's lawyer, Alexander Henson of Carmel, said the suit is an attempt to force the supervisors to declare a ground water emergency in the Pajaro Valley, which has long wrestled with problems like water overdraft and sea water creeping into the

underground supply of fresh water.

Supervisors considered declaring a ground water emergency last year, which would have enabled the county to take over water-management duties from the Pajaro Valley Water Management Agency. Ultimately, the supervisors opted against the idea in part because of concerns over their legal jurisdiction.

Supervisor Manti Wormhoudt said Friday that the lawsuit, filed in Santa Cruz County Superior Court, strikes her as a publicity stunt.

"I appreciate Mr. Deitch's concern about water overdraft in South County," she said. "But if he thinks that it is going to be solved by his filing a lawsuit against the Board of

"If he thinks that (the water problem) is going to be solved by his filing a lawsuit against the Board of Supervisors, I wouldn't want to rely on him to water my garden."

— Manti Wormhoudt, county supervisor

Supervisors, I wouldn't want to rely on him to water my garden."

"What he thinks will be accomplished by this, other than publicity for himself, I really don't know," she said.

The Pajaro Valley Water Management Agency has argued that the supervisors

doesn't have authority over it because the agency was created by the state Legislature in 1981.

Deitch's suit was filed May 12. Henson said the county board has until early June



to respond.

In recent years, the board has been divided on the idea of a ground water emergency.

Wormhoudt said the county does need to keep working on the issue. "But that doesn't mean I think we need to step in and take over the job of elected members of water districts."

The Pajaro Valley water agency estimates that Pajaro Valley farmers and residents pump out approximately 68,000 acre feet of water per year. An acre foot equals 326,000 gallons of water, enough water for about four households in a year.

In comparison, rainfall and other sources

Please see LAWSUIT — PAGE A12

### Lawsuit

Continued from Page A9

recharge the water tables only 31,000 acre feet per year, according to the agency. But these figures are the subject of some debate in the valley and vary considerably from year to year.

Henson said the board has resisted the idea of declaring an area-wide emergency in spite of the serious and escalating problem.

Deitch contends he, and others in the county, have suffered "irreparable injury" from the overdraft and

supply troubles. He is seeking no monetary recourse, except for court costs.

Henson said the court system is not an unusual forum to settle this kind of concern.

"This is what I do all the time," said Henson, noting that he has filed suits against several counties, including Sonoma and Mendocino, to force them to upgrade "deficient" general plans.

Sentinel staff writer Trina Kierulff contributed to this article.

helping hand ...  
of them, actually



John Winkler lays sod on the centerpiece of Saturday's volunteer work, a new field at San Lorenzo Valley Elementary School.

## Panel seeks school site

Soquel bond defeat forces a team effort

By JONDI GUMZ  
Sentinel staff writer

CAPITOLA — Last year they were fighting like rats and dogs. But now opponents of Measure Q, the bond measure defeated by voters in the Soquel Union Elementary School District in November, have joined bond advocates to try to find a suitable middle school site.

"It's going to take 18 months," predicted Lisa Flunt, a Measure Q supporter who is on a task force that will recommend sites to the school board.

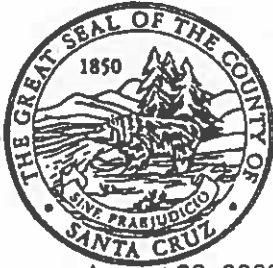
"We want to be very thorough and careful about choosing the right site because there are so few available," she said.

"Everybody's working toward a common purpose," said Keith Cahalan, a Measure Q opponent who now heads up a task force subcommittee investigating possible sites.

"I'm a little surprised, but I just roll with the punches," he added.

The task force, which includes school district officials, Capitola City Council members and community

Volunteers help field take shape



August 28, 2003

## County of Santa Cruz

### GRAND JURY

701 Ocean Street, Room 318-I  
Santa Cruz, California 95060  
(831) 454-2099

Mr. Douglas Deitch  
3540 Porter Gulch  
Aptos, CA 95003

Reference: Request for Grand Jury Action  
Complaint cc- 03-001  
RE: County Board of Supervisors

Dear Mr. Deitch,

This is to acknowledge receipt of your complaint referenced above. Your request will be considered by the Santa Cruz County Grand Jury. Should you have additional information, please forward it for inclusion with the complaint file.

Law and policy prohibit the Grand Jury from disclosing any aspect of an inquiry. Recommendations, if any, may be contained in the Grand Jury Final Report.

Be assured that your identity will be known only to the Grand Jury. We are sworn to secrecy to ensure confidentiality of your identity and any information you may supply to us.

Sincerely,

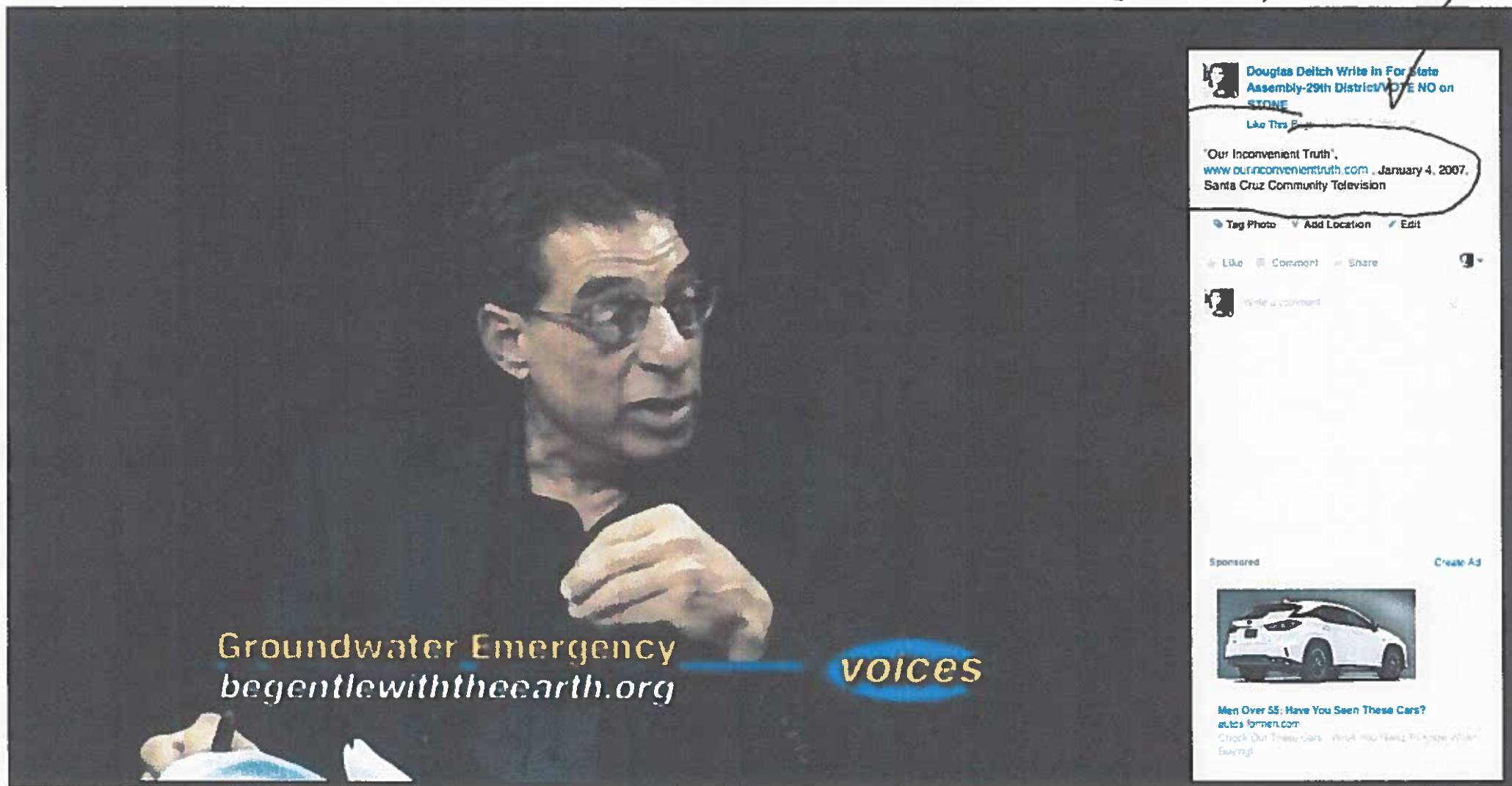
Otis Johnson, Foreperson  
2003-04 Santa Cruz County Grand Jury

cc: Grand Jury File  
CC Committee

www.ourinconvenienttruth.com

EXHIBIT 1

Jan 7, 2007



Groundwater Emergency  
begentlewiththeearth.org

VOICES

**Douglas Delich Write in For State Assembly-29th District/VOTE NO on STONE**  
Like This Post


"Our Inconvenient Truth",  
[www.ourinconvenienttruth.com](http://www.ourinconvenienttruth.com), January 4, 2007,  
Santa Cruz Community Television

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Like Comment Share

Write a comment

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Men Over 55: Have You Seen These Cars?  
[autoforment.com](http://autoforment.com)  
Check Out These Cars - Which Will Make You Feel Younger?  
Buying!

00 of 14

EXTRA COPY



EPA Logo

October, 1993

# Final Program, Environmental Impact Report

Basin Management Plan

State Clearing House No.: 9302-3035

**VOLUME 1: Revised Draft EIR**



**Pajaro Valley Water Management Agency**



## 1. Summary

executing the BMP. The No Project Alternative is defined as no remedial action. That is to say, no plans, policies, programs, or projects would be undertaken by the PVWMA or any other body or individual in the Basin. Ground water would continue to be the source of water for agricultural irrigation, industrial and commercial use, and domestic residential use. Ground water use would increase to meet higher future water demand. The Basin's overdraft condition would worsen. Seawater intrusion would continue to advance underneath the coastal lands at the current rate of 10,000 acres-feet per year or higher. Irrigation with ground water would continue along the coast area until the salt content in the soils built up to the point where agricultural crops could not grow. Domestic wells along the coast would also become unusable as the sodium content increased. No substitute water supplies would become available other than purchasing bottled water.

#### 1.2.4 Demand Management Only Alternative

= following

Section 10.2.4, Demand Management Only Alternative, of the BMP contains a more detailed discussion. This alternative would use only demand management measures to achieve the Agency's water management objectives: to balance water use and supply in the Basin and progressively decrease seawater intrusion. The Basin would be brought into balance through mandatory basin-wide pumping controls only, for residential, agricultural, and industrial users. Ground water modelling has indicated that it would be necessary to reduce ground water use by 60 percent from current levels. All users in the Basin would receive only 40 percent of their current needs by the year 2040. Since municipal and industrial users comprise 23 percent of current use, the major reduction would fall on agricultural users. In effect, this would reduce agricultural operations by 40 to 60 percent and halt or reduce current levels of municipal and industrial development (refer to the following socioeconomic discussion). This Alternative represents the most probable scenario if the State Water Resources Control Board were to intervene. State intervention would occur as a result of the PVWMA's failure to implement a BMP, which is in essence what would occur under this Alternative. The State by statutory adjudication would institute someone to regulate and oversee the appropriation of water in the Basin, resulting in stringent pumping controls.

There are however, other ways the Demand Management Alternative could be formulated which would involve the acquisition of land or water rights to meet overdraft reduction goals. The BMP considered a demand management element which involved the acquisition of land to meet overdraft reduction goals. The retirement of 6,500 acres of coastal area land from irrigated agriculture could allow long-term sustainable pumping of 50,000 AFT/Yr. This water could be shared by the remaining

So ... to get to the point... @ www. the best that money cant buy. c or

I have an 8000 acre real estate acquisition/project/deal here in the Monterey Bay which doubles as a shovel ready but no shovel even required 24,000 acre feet per year \$400,000,000 Prop 1 funded ground water and habitat/wetlands/coastal access "Coast Dairies II" type conservation project.

May I describe it to you as I did recently in a comment to "Shaping Ground Water Storage" in the California Water Blog @ <http://californiawaterblog.com/.../shaping-water-storage-in-.../> ?

"Douglas Deitch says:

November 20, 2014 at 11:39 am

As we all know, our natural systems such as particularly our ground water aquifers, provide the best opportunities for California water storage. Just eliminating chronic overdraft and water mining of critically important food production related water commons to stop the bleeding and commence living within the sustainable agricultural carrying capacity would be a major victory and is a more than obvious place to start.

Monterey Bay Conservancy has been continuously proposing such a water project in the Monterey Bay/Pajaro Valley-PVWMA Region since 1998 ( <http://www.pogonip.org/solution.html> , <http://www.pogonip.org/WaterD.../98USGSTechnicalMemorandum.pdf> , <http://www.begentlewiththeearth.net/> , <http://www.begentlewiththeearth.org/> ) to correct the decades long massive ag overdrafting and water mining in this area which has actually increased by over 27% over the last few growing seasons in response to this record drought, with no production reductions at all.

With the passage of the \$7.5 billion water bond, around \$400,000,000 is now available to implement a shovel ready (but no shovel even required) immediate and 100% sure fire in perpetuity 24,000 acre foot per year water conservation project which will terminate all future salt water intrusion in this area, provide sustainable local ground water for all users, protect in perpetuity some of this country's most rare and critical habitats, wetlands, and farmlands, improve coastal access, improve and diversify the local economy and protect food production, and publicly acquire and fallow/dry farm, for around \$50,000 per acre ... <http://www.santacruzsentinel.com/.../retired-federal-judge-bu...> ... the around 8000 plus acres of irrigated farmlands, 25% of Pajaro Valley's total, on the ocean side of Highway One from La Selva Beach, in Santa Cruz County, to Elkhorn Slough in Monterey County.

I submit there is no better utilization of around 5% of this bond's funding in the State of California ... and commencing living within our water means here in the Monterey Bay.

If you think this approach might be a good one, as well, please repost this and pay a few bucks to "boost" it to others here in the Monterey Bay and California on Facebook who might feel the same.

Many thanks,

Douglas Deitch



**Douglas Deitch** says:

May 11, 2015 at 8:14 am

... please specifically note re: "New Ground Water Sustainability" legislation,

**"10720.5. NO MODIFICATION OF WATER RIGHTS OR PRIORITIES, AND NO DETERMINATION OF WATER RIGHTS PURSUANT TO THIS PART**

(a) Groundwater management pursuant to this part shall be consistent with Section 2 of Article X of the California Constitution. Nothing in this part modifies rights or priorities to use or store groundwater consistent with Section 2 of Article X of the California Constitution, except that in basins designated medium- or high-priority basins by the department, no extraction of groundwater between January 1, 2015, and the date of adoption of a groundwater sustainability plan pursuant to this part, whichever is sooner, may be used as evidence of, or to establish or defend against, any claim of prescription.

(b) Nothing in this part, or in any groundwater management plan adopted pursuant to this part, determines or alters surface water rights or groundwater rights under common law or any provision of law that determines or grants surface water rights."

ANALYTICAL CHEMISTS  
and  
BACTERIOLOGISTS  
Approved by State of California

TEL: 831-724-5422  
FAX: 831-724-3188

# SOIL CONTROL LAB

42 RANGAR WAY  
WATSONVILLE  
CALIFORNIA  
95076  
USA

Brad Landino Well Drilling  
P.O. Box 1990  
Aptos, CA 95001-1990  
Attn: Brad Landino

Work Order #: 5100075  
Reporting Date: October 12, 2015

Date Received: October 2, 2015  
Project # / Name: None / Doug Detich, 540 Hudson Lane  
Water System #: NA  
Sample Identification: 540 Hudson Lane - Well 1, sampled 10/2/2015 11:30:00AM  
Sampler Name / Co.: Brad Landino / Brad Landino Well Drilling  
Matrix: Water  
Laboratory #: 5100075-01

|                        | Results | Units | RL  | State<br>Drinking<br>Water<br>Limits 1 | Analysis<br>Method | Date<br>Analyzed | Flags |
|------------------------|---------|-------|-----|--|--------------------|------------------|-------|
| Total Dissolved Solids | 290     | mg/L  | 10  | 1000                                   | SM2540C            | 10/07/15         |       |
| Nitrate as NO3         | ND      | mg/L  | 1.0 | 45                                     | EPA 300.0          | 10/02/15         |       |
| Chloride               | 29      | mg/L  | 1.0 | 500                                    | EPA 300.0          | 10/02/15         |       |
| Iron                   | ND      | ug/L  | 50  | 300                                    | EPA 200.7          | 10/07/15         |       |
| Manganese              | ND      | ug/L  | 20  | 50                                     | EPA 200.7          | 10/07/15         |       |

well 2 ✓

RL - are levels down to which we can quantify with reliability, a result below this level is reported as "ND" for Not Detected.

State Drinking Water Limits<sub>1</sub> - as listed by California Administrative Code, Title 22.

\* - a \* in the left hand margin of the report means that particular constituent is above the California Drinking Water Limits.

*Mike Gallows*

May 19, 2016

Mark Nordberg, GSA Project Manager Senior Engineering Geologist  
901 P Street, Room 213A  
Box 942836 Sacramento, CA 94236

Re: Notice of Intent of Santa Cruz Mid-County Groundwater Agency to Become a  
Groundwater Sustainability Agency

Dear Mr. Nordberg:

As outlined in California Water Code, Part 2.74, Sustainable Groundwater Management Act (SGMA), sections 10723(d), 10723.6(a)(1), and 10723.8, the newly formed joint exercise of powers agency, the Santa Cruz Mid-County Groundwater Agency (MGA or Agency) hereby declares its intention to assume the role as a Groundwater Sustainability Agency (GSA) for the proposed Santa Cruz Mid-County Groundwater Basin. The members of the Agency include the Central Water District, the City of Santa Cruz, the County of Santa Cruz, and the Soquel Creek Water District.

On March 17, 2016, Agency Board of Directors convened for the first time, elected officers, adopted a budget for FY 2017, set a public hearing on becoming the designated GSA for the proposed Santa Cruz Mid-County Groundwater Basin for May 19, 2016, and directed staff to publish the required public notice as per California Government Code §6066 (see Attachment 1).

Also on March 17, 2016, the Agency took over from its predecessor Soquel-Aptos Groundwater Management Committee as the requesting agency for the basin boundary modification request proposing the Santa Cruz Mid-County Groundwater Basin. The proposed Santa Cruz Mid-County Groundwater Basin is generally a basin consolidation of all or parts of four existing Bulletin 118 groundwater basins: Soquel Valley (3-1), West Santa Cruz Terrace (3-26), Santa Cruz Purisima Formation (3-21), and Pajaro Valley (3-2) Groundwater Basins.

On May 19, 2016, the Agency held a duly noticed public hearing and passed Resolution 2016-001 (Attachment 2) wherein the Agency resolved to become a GSA for the proposed Santa Cruz Mid-County Groundwater Agency. Attachment 2A is a map of the proposed Santa Cruz Mid-County Groundwater Basin (the Basin) that the new Agency intends to manage. It is the intention of the Agency to manage the modified basin as approved by the Department of Water Resources even if the approved basin includes minor revisions to the proposed basin shown in Attachment 2A. Attachment 3 is a copy of the fully executed Joint Powers Agreement for the Santa Cruz Mid-County Groundwater Agency and Attachment 4 is copy of the Agency's Bylaws.

### Identification and Engagement of Interested Parties

Water Code section 10723.8(a)(4) requires a list of interested parties developed pursuant to Water Code section 10723.2 and an explanation of how their interests will be considered in the development and operation of the GSA and the development and implementation of the agency's sustainability plan.

Since 2014, the Santa Cruz Mid-County Groundwater Agency (MGA) and its predecessors, the Soquel-Aptos Groundwater Management Committee and the Basin Implementation Group, have been employing a comprehensive outreach strategy. The MGA has a Community Engagement Plan which was developed by the Center for Collaborative Policy in conjunction with the MGA and includes the input of 22 stakeholders who were interviewed during development.

Stakeholders included representatives from:

- Elected officials and staff from the MGA member agencies
- Staff from outside agencies and departments
- Private well owners and Small Water System operators
- Large water users in the ~~basin~~ Basin (business and institutional)
- Agricultural users
- Environmental non-profits and community groups
- Environmental scientists and regulators
- Tribal representative

Outreach includes: an informative website ([midcountygroundwater.org](http://midcountygroundwater.org)), which staff updates regularly; an electronic newsletter sent before important events; public notification before all MGA meetings; radio interviews; meetings with newspaper editorial boards; targeted stakeholder meetings; and occasional mailers in the form of postcards and bill inserts.

To date, eight informational meetings for the public have been held. Notification for the meetings has included ads in multiple local newspapers, on social media, electronic newsletters from all of the partner agencies, and postcards mailed to all private well owners, based on County Assessor records. A targeted meeting of interested private well owners hosted by the private well representatives on the MGA was also held.

The MGA will continue to engage these interests and any other interested persons or entities, including various regulatory agencies and neighboring GSAs, as it takes steps to develop and implement a Groundwater Sustainability Plan. This includes, but is not limited to, the following:

**a. Holders of overlying groundwater rights**

**i. Agricultural users:**

There is farming within the boundary area, using an estimated 10% of the total water pumped from the ~~basin~~ Basin. The Ag sector comprises vineyards, vegetables, orchards, nurseries, and berries. The majority of the farming is done by a few large operations. In addition to the broad outreach, large operators will be notified individually and brought in for an introductory meeting.



One of the private well representatives who sits on the MGA Board of Directors is from the Ag sector.

**ii. Domestic Well Users:**

Residential Private well owners use an estimated 10% of total water use in the ~~basin~~Basin. To make sure this group receives fair representation, three private well owners were appointed to the MGA after a selection process. They have already held one meeting targeting private well owners. The County sent 1700 postcards on behalf of the MGA to the owners of properties with private wells. The County will be using a grant from DWR, in which additional targeted outreach in the form of well soundings, conservation audits and additional meetings are planned.

**b. Municipal well operators;**

Elected officials from all the municipal well operators in the Basin are represented on the Agency Board. These are Soquel Creek Water District, Central Water District, and the City of Santa Cruz Water Department.

**c. Public water systems;**

All of the Public Water Systems operators in the County are on the MGA email list. The County oversees the public water systems in the region and offers quarterly forums. The SGMA has been discussed in several of these, and staff from the MGA partner agencies have presented.

**d. Local land use planning agencies.**

The land use planning agencies in the ~~basin~~Basin are the County of Santa Cruz, City of Santa Cruz, and the City of Capitola. Two County Supervisors are on the MGA. The newsletters are distributed to County Supervisors, City Council members, and key staff from those agencies. Staff from the MGA will make presentations to planning agency staff and officials as necessary.

**e. Environmental users of groundwater;**

Groundwater from the ~~basin~~Basin helps to supply streamflow fish habitat, riparian vegetation and recreational use. Agencies with interest in maintaining flow for environmental uses are the US Fish and Wildlife Service, NOAA Fisheries, California Department of Fish and Wildlife, the State Water Board, the County of Santa Cruz, and the City of Capitola. Representatives of these agencies are on the email list. There are numerous non-profit environmental groups operating in the Basin. The member agencies of the MGA have long relationships with these groups and interact with many of them regularly. Representatives from the organizations have been added to the email list.

**f. Surface water users, if there is a hydrologic connection between surface and groundwater bodies;**

There are no large scale users of surface water in the ~~basin~~Basin, but there are numerous small users. Surface water rights in the Soquel Creek Watershed have been adjudicated and the legitimate users of surface water have been designated. Some small water systems or agricultural users may use surface water, however, as noted above those groups will already be engaged in the process. Domestic surface water users are included in the broad notification to private property owners in the ~~basin~~Basin.

**g. The federal government, including, but not limited to, the military and managers of federal lands;**

The member agencies of the MGA work regularly with several Federal agencies including the USGS, the US Fish and Wildlife Service, the Monterey Bay National Marine Sanctuary and the National Marine Fisheries Service (NOAA Fisheries). Appropriate staffs from those agencies are on the email listserve. There are no military or federally-owned lands in the Basin.

**h. California Native American tribes;**

Staff has been developing relationships with representatives of the local tribes to ensure they are engaged with the process. One representative was interviewed during the development of the Community Engagement Plan.

**i. Disadvantaged communities (DAC), including, but not limited to, those served by private domestic wells or small community water systems;**

Based on 2010 Census data, there are several DAC census blocks located within the service areas of the municipal water agencies located in the Western area of the Basin. The planned outreach process is comprehensive and will reach those areas. Additional efforts to provide targeted outreach to DACs are being undertaken through the IRWM process and involves staff from the MGA member agencies.

**j. Entities listed in Section 10927 that are monitoring and reporting groundwater elevations in all or a part of a groundwater basin managed by the GSA. [CA Water Code Section 10723.2.]**

The agencies conducting groundwater monitoring and reporting activities for the ~~basin~~-Basin are the County, the City of Santa Cruz, the Soquel Creek Water District, and Central Water District. All these agencies are members of the MGA.

As demonstrated by the information presented above, the MGA is committed to an open and inclusive process to implement the SGMA. Interest parties will have opportunities, both formal and informal, to provide input to the MGA Board and to participate in the development and public review of the Groundwater Sustainability Plan.

Sincerely yours,

Bruce Jaffe, Chair

Santa Cruz Mid-County Groundwater Agency Board of Directors

**Attachments:**

1. Copy of Required Public Notice of May 19, 2016 Public Hearing on the Santa Cruz Mid-County Groundwater Agency being designated as the Groundwater Sustainability Agency for the Santa Cruz Mid-County Groundwater Basin
2. Santa Cruz Mid-County Groundwater Agency Resolution 2016-001 Stating the Board's Intent to be the Groundwater Sustainability Agency for the Santa Cruz Mid-County Groundwater Basin
  - 2.A Santa Cruz Mid-County Groundwater Basin Map
3. Santa Cruz Mid-County Groundwater Agency Joint Exercise of Powers Agreement
4. Santa Cruz Mid-County Groundwater Agency Bylaws



## **Memorandum of Agreement Staff Support to the Santa Cruz Mid-County Groundwater Agency**

This memorandum of agreement (MOA) indicates a voluntary agreement between the signing parties regarding the dedicated staff support and administrative assistance to be provided by the Regional Water Management Foundation (RWMF), a subsidiary of the Community Foundation Santa Cruz County (CFSCC), to the Santa Cruz Mid-County Groundwater Agency (MGA).

### **INTENT**

The purpose of this cooperative MOA is to affirm the mutual understanding of the participating organizations with respect to their general roles and responsibilities.

### **BACKGROUND AND PARTNERS**

Starting in 2015, the RWMF/CFSCC provided limited administrative staff support to Soquel Creek Water District related to meetings of the Soquel Aptos Groundwater Management Committee. This Committee disbanded with the formation of its successor agency the MGA. In 2016, the MGA member agencies approached the RWMF/CFSCC regarding staff support to assist this newly formed agency by providing a dedicated senior level staff person to support the completion of a Groundwater Sustainability Plan (GSP) and additional related staff to support this effort and related administrative duties of the MGA. The development of the GSP is anticipated to occur from July 2016 until July 2018.

The partners to this MOA include:

- Santa Cruz Mid-County Groundwater Agency ([www.midcountygroundwater.org](http://www.midcountygroundwater.org))
- Community Foundation Santa Cruz County ([www.cfsc.org](http://www.cfsc.org))
- Regional Water Management Foundation ([www.rwmf.org](http://www.rwmf.org))

Santa Cruz Mid-County Groundwater Agency

In response to California's landmark Sustainable Groundwater Management Act (SGMA), the Santa Cruz Mid-County Groundwater Agency (MGA) was established in 2016 to serve as the groundwater sustainability agency (GSA) for the mid-County groundwater basin. The MGA was formed by a Joint Exercise of Powers Agreement entered into by the County of Santa Cruz, City of Santa Cruz, Central Water District and Soquel Creek Water District, effective March 17, 2016. The MGA intends to develop and implement a Groundwater Sustainability Plan (GSP) for the Santa Cruz Mid-County Groundwater Basin under the Sustainable Groundwater Management Act of 2014 (SGMA). The Agency is governed by an 11-member Board of Directors consisting of two representatives from each of the member agencies and three public representatives appointed by the member directors. The MGA currently operates under a cooperative staff arrangement with staffing provided by the executive team, designated member agency staff and consultant services.

#### Community Foundation Santa Cruz County

Community Foundation Santa Cruz County (CFSCC) formed in 1982. CFSCC works to improve the quality of life in Santa Cruz County, and beyond, through philanthropy. Currently at \$100 million in assets, CFSCC supports nonprofit activities in fields that include the arts, education, health, human services, environment and disaster relief. In 2015, the CFSCC awarded \$4.75 million in grants to nonprofits.

#### Regional Water Management Foundation

The RWMF formed in 2007 as a subsidiary of the Community Foundation Santa Cruz County (CFSCC). The RWMF is a separate 501(c)(3) tax-exempt nonprofit organization with its office located at the CFSCC. The RWMF was established to support local agencies in Santa Cruz County Integrated Regional Water Management (IRWM) efforts. The primary objectives of the RWMF are to (1) protect communities in Santa Cruz County from water shortages and floods; (2) protect and improve water quality and the natural environment; and, (3) improve water supply reliability in Santa Cruz County. The RWMF served as the grantee on four Integrated Regional Water Management (IRWM) grants awarded by the state, providing approximately \$14.8m to support water resource planning and projects. The RWMF served as the fiscal agent and provided management and administration of these grants. The RWMF has also provided administrative support to local agencies for other water related grants.

RWMF staff members are employees of CFSCC. CFSCC is responsible for recruiting, hiring and maintaining the employment relationship for employees that are leased to RWMF pursuant to an Employee Lease Agreement.

#### **RWMF Supporting Services**

Representatives of the agencies forming the MGA requested RWMF provide a budget to render supporting services to the MGA. RWMF provided a budget (dated March 10, 2016) which anticipated staffing needs of 1.5 full-time equivalent staff, a full-time Senior Water Resource Planner, 15% of the RWMF Program Director's time and 35% of an administrative staff member's time. The budget projection included a 10% administrative fee (based on actual personnel compensation and benefits) which provides compensation for office space and related office expenses. In March 2016, the MGA Board approved the executive committee's staffing recommendation for

RWMF support and also approved the MGA annual budget for 2016/17 which included the anticipated expenses for RWMF staff support.

## **PARTNER ROLES**

### Regional Water Management Foundation

The RWMF will provide dedicated staffing and administrative assistance to the MGA to facilitate the preparation of the GSP and conduct other administrative functions. It is anticipated that this would consist of one dedicated Senior Water Resource Planner position (1 Full time employee (FTE)), the RWMF Program Director (0.15 FTE), and administrative personnel (0.35 FTE).

**Senior Water Resource Planner** will play a key role in the development of the GSP. With direction from the MGA executive team, the Senior Planner will have the principal role in content development for the GSP. The Senior Planner's role will vary across the different sections and developmental stages of the GSP and include leading certain tasks, participating in designing and supporting other tasks, and providing support to the MGA executive team, subcommittees and/or consultants. The Senior Planner will be supervised by the RWMF Program Director and report to the MGA executive team. The Senior Planner will be located at the Soquel Creek Water District and will routinely coordinate with the RWMF program director and work in close coordination with staff of the agencies that comprise the MGA. The development of the GSP is anticipated to occur from July 2016 to July 2018; the position is not anticipated to continue in the same capacity following the completion of the GSP.

#### Typical Duties:

- Leads drafting and editing the GSP content
- Plans, coordinates, directs assigned efforts related to the completion of the GSP
- Coordinates and participates in the review of pertinent local planning, resource planning and water supply documents
- Develops and presents analyses and reports related to complex questions related to SGMA and the GSP to provide information and recommendations to the MGA
- Analyzes information related to SGMA to determine conformity with laws, regulations, and policies
- Initiates and facilitates in inter-agency coordination on planning activities
- Drafts and edits reports for the MGA
- Makes presentations and prepares material for the MGA, agencies, and community groups
- May provide direction to professional, technical and office support staff
- May provide direction and manage the work of consultants performing planning projects or studies

**RWMF Program Director** will serve as a member of the MGA executive team that oversees and provides direction to the Senior Water Resource Planner.

#### Typical Duties:



- Participates as member of the executive team
- Will be the supervisor of the Senior Water Resource Planner and administrative support provided by RWMF. This includes managing all employment related issues such as participating in employee evaluations and relationship with CFSCC.
- Limited participation the review and preparation of the GSP and related items
- Attendance at MGA Board of Directors meetings
- Day-to-day oversight and direction to the RWMF Administrative staff related to MGA tasks
- Preparation of an annual budget for RWMF/CFSCC support to the MGA

**RWMF administrative personnel** will provide support to the Senior Water Resource Planner, RWMF Program Director, and MGA.

**Typical Duties:**

- Support to the Senior Water Resource Planner, includes but is not limited to: research assistance; document review; data compilation; preparation or review of GSP related documents; scheduling and/or notetaking at meetings
- MGA Board of Directors meeting support, including: distribution of meeting notices, compilation of packets and agendas, and supporting material
- Attendance at MGA Board of Directors meetings, preparation of minutes

**Santa Cruz Mid-County Groundwater Agency**

The MGA has the responsibility of developing its guiding policies that will inform the development of the GSP. MGA appointed subcommittees will oversee the development these guiding policies. The MGA executive team is tasked with overseeing the completion of the GSP. Duties of the MGA executive team related to the GSP completion and the RWMF/CFSCC include:

- Providing direction to the Water Resource Senior Planner on tasks related to the completion of the GSP
- Attendance at regularly scheduled meetings with the Water Resource Senior Planner
- Routine communications with the RWMF Program Director and Senior Planner
- Promptly pay (within 30 days of receipt) invoices submitted by RWMF

**INVOICING**

The RWMF will invoice the MGA on a monthly basis for work performed and costs incurred in support of the MGA. The invoice will include a summary of services performed, hours worked and hourly rates, and a reasonable itemization with supporting documentation for any costs incurred (e.g., employee vehicle mileage for meetings, etc.). Hourly billing rates and administrative fees will be consistent with the proposed budget provided by the RWMF to the MGA.

**OFFICE SPACE, SUPPLIES, EQUIPMENT, etc.**

The CFSCC will provide office space, supplies, computer, telephone, internet services and related items necessary for personnel to provide the services outlined in this agreement for the RMWF Program Director and the RMWF Administrative staff.

The MGA will provide office space at the Soquel Creek Water District, supplies, computer, telephone, internet services and related items necessary for the Senior Water Resource Planner to provide the services outlined in this agreement.


#### **TERM OF THIS AGREEMENT**


The term of this agreement is effective May 19, 2016 upon execution of all parties and will remain in effect through the completion and MGA Board approval of the GSP. The agreement may be extended upon mutual agreement of all parties.

#### **TERMINATION**

This MOA may be terminated with or without cause, in whole or in part, by mutual agreement of the partners. For individual entities withdrawing from the partnership, verbal, email or written notice shall be given to RMWF President, the CFSCC Chief Executive Officer and the MGA Board of Directors Chair.

Signing this MOA indicates agreement with the foregoing.

  
Chair, Santa Cruz Mid-County Groundwater Agency      Date 5-19-16

  
CEO, Community Foundation Santa Cruz County      Date 5-20-16

  
President, Regional Water Management Foundation      Date 6/9/16