Draft Water Advisory Commission Work Plan – December 2018

Commented [1]: Dec 5, 2018 update

Background

The Water Advisory Commission was established in 1975 to serve as a policy advisory body to the Board of Supervisors (Board) on issues relating to the use and protection of the county's water resources. The Commission consists of seven members, five of whom are concerned citizens appointed by individual supervisors and two that are appointed at large. The two at large positions represent public water purveyors and private or mutual water companies in the County. John Ricker, Water Resources Division Director in the EHS division of the Health Service Agency, serves as administrative secretary to the Commission.

Staffing, funding, and other resources available to the Commission necessarily limit the duties and responsibilities of the Commission. Therefore, the Commission utilizes discretion in devoting time to those activities that are most important to achieving its overall goal of enhancing and preserving Santa Cruz County water resources. County departments (Planning, Environmental Health Services (EHS), and Public Works (DPW) will assist the Commission in its work, by including the Commission in water related correspondence, and by having staff provide timely oral reports on pending issues. For more information about the Commission's role go here.

In 2014 discussion between the various commissions (Commission on the Environment (COE), Fish and Wildlife Advisory Commission (FWAC) and Water Advisory Commission (WAC)) that have significant overlap in their scopes regarding protection of water resources and related environmental values was initiated. At this time, the Inter-Commission Coordination Working Group (ICCWG) was formed in an attempt to clarify the distinct and shared areas of focus of each commission. The WAC generally identified some focus areas at that time, including:

1. Soquel/Santa Cruz Supply Development — Mid-County Groundwater Management
2. Pajaro Groundwater Management
3. Santa Margarita Groundwater Management
4. County Environmental Planning and Code Compliance Performance
5. Karst Protection Zone Program Development
6. Pajaro River Flood Control
7. Others as needed

8. Coordination with other Commissions
    A. Code Compliance
    B. Drought Response
    C. Coho recovery
    D. Cannabis cultivation
    E. San Lorenzo River Alliance
    F. Others as needed

However, the status of these issues and the WAC role in them was not discussed at that time and a recommendation was made that the WAC develop a brief work plan to both facilitate progress on the issues and provide background for new WAC commissioners, members of other

commissions as well as the Board of Supervisors (BOS). This was further supported at the May 2017 joint commission meeting where each commission was encouraged to identify priority focus areas to keep the BOS apprised of.

Since 2014 the WAC has been occupied with reviewing commercial cannabis cultivation policy, County-wide drought response, water conservation, karst protection zone planning and related matters. For more background please see the Environmental Health Department's Water Resources Annual Reports here:

2016-2017:

http://scceh.com/Portals/6/Env_Health/water_resources/NEW%20WAC/WAC%202016-17%20Biennial%20Report.pdf

2014-2015:

http://scceh.com/Portals/6/Env_Health/water_resources/NEW%20WAC/WAC%202014-15%20Bi-Annual%20Report.pdf

Work Plan Discussion

1) Soquel/Santa Cruz Supply Development - Mid-County Groundwater Management

Issue Brief:

Unlike some other areas of California, all of of our water is local. The Mid-County Basin includes two primary aquifers: the Purisima Aquifer Formation and the Aromas Red Sands Aquifer. The basin is shared with other pumpers throughout our area, including City of Santa Cruz, Central Water District, small mutual water companies, and private well owners. The Mid-County Groundwater Basin area covers the mid-Santa Cruz County region and extends from Branciforte Creek in the west through Aptos and La Selva Beach to the east; from the Zayante fault (somewhat below Summit Road) in the north to the ocean in the south. The basin is currently in a state of overdraft, which means more water is being extracted than can be naturally replenished by rainfall. This condition has led to seawater intrusion detected at our coastline and, if left unresolved,will contaminate the groundwater wells (municipal and private wells) and make them unusable to produce drinking water. The City of Santa Cruz Water Department and Soquel Creek Water District both have supply issues which are reliant on a functioning Mid-County Basin. Addressing the historic groundwater overdraft and the need to protect instream flows for fish, while developing resilient and flexible regional water supply alternatives, is of paramount importance to the WAC.

For more information go here.

Current Status:

Under the Sustainable Groundwater Management Act, a groundwater management agency (the Mid-County Groundwater Agency) has been formed. Current focus of the agency includes evaluating relationships between groundwater and surface water including model results regarding pumping impacts by use type and location, proposed minimum thresholds for chronic lowering of groundwater levels, receiving input on model results, and a draft proposal for developing measurable objectives from the committee. Currently, the Soquel Creek Water District is pursuing the "Pure Water Soquel" groundwater replenishment and seawater intrusion prevention project and the City of Santa Cruz is pursuing the "Santa Cruz Water Rights Project". Both of these projects have the potential to contribute toward resolving the overdraft in the Mid-County Groundwater Basin. Additionally, these districts began implementation of the water transfer pilot project in early December, 2018. This project will help evaluate the efficacy of a future, larger scale conjunctive use project that will also be enabled by the Santa Cruz Water Rights Project.

WAC Role:

While the County is not a water purveyor, coordination of regional supply planning with regard to the mid-county groundwater basin benefits private well owners within the County jurisdiction as well as groundwater dependent ecosystems within County jurisdiction and municipal water supplies dependent on sustainable groundwater management. Similarly, while the County is not a fisheries regulatory agency per se, development of water supply flexibility, which includes providing adequate instream flows for fish, is well-aligned with County environmental values and other instream beneficial uses of water. Of particular note in the Mid-County Groundwater Basin management is the fact that Soquel Creek water rights were adjudicated in 1975, however a structure for implementing the adjudication was never implemented. While the adjudication only touches on groundwater tangentially, the close relationship between groundwater management and instream flows is more widely accepted under SGMA than it was at the time of the adjudication and a unique opportunity now presents itself to bring local ground and surface water management policies into better alignment. The WAC should maintain a focus on this issue, support regional supply planning efforts (especially in regard to developing conjunctive use and groundwater recharge opportunities), proactively engage the BOS in advancing support for sustainable regional water supply alternatives as they emerge, and consider advising the BOS to pursue more rigorous and formal implementation of the adjudication in order to ensure preservation of the beneficial uses of Soquel Creek.

2) Pajaro Groundwater Management

Issue Brief:

The Pajaro Valley basin is bounded on the west by Monterey Bay and on the east by the San Andreas Fault, adjacent pre-Quaternary formations, and the Santa Cruz Mountains beyond. The basin's northern boundary is the surface expression of the geologic contact between Quaternary alluvium of the Pajaro Valley and marine sedimentary deposits of the Pliocene Purisima Formation. The southern basin boundary is a drainage divide in the Carneros Hills between the Elkhorn Slough to the north and the Moro Cojo Slough and lower Salinas River valley and the

Salinas Valley-Langley groundwater subbasin to the south. The Pajaro River and its tributaries, including Corralitos, Salsipuedes, Browns Valley, Green Valley, and Casserly Creeks, drain the Pajaro basin. Additional drainage is supplied by Carneros Creek in Monterey County. In the northwestern region of the Pajaro Valley a network of sloughs provides drainage. The basin provides water to the City of Watsonville, numerous private parcels, the thriving agricultural industry, and endangered species. This basin is in critical overdraft. Its issues are similar to those of the Mid-County Groundwater Basin, and addressing groundwater overdraft and the needs for flood control and protection of instream flows for fish and other special-status species in the Pajaro basin, is of paramount importance to the WAC.

For more information go here.

Current Status:

The Pajaro Basin has been managed by the Pajaro Valley Water Management Agency since 1984 and the PVWMA formed a groundwater sustainability agency in 2015. The Pajaro Valley Water Management Agency is currently exploring a basin boundary modification proposal that adjusts a small portion of the Purisima Formation Basin to Pajaro Valley Basin, and adjusts a portion of the Pajaro Valley Basin to the Salinas Valley Basin. Additionally, PVWMA is implementing numerous projects in their Basin Management Plan (BMP) including

- Demand Management (Conservation)
- Increased Recycled Water Storage
- Increased Recycled Water Deliveries
- Harkins Slough Facility Upgrades
- Watsonville Slough Project
- College Lake with Inland Pipeline
- Murphy Crossing with Recharge Basins

WAC Role:

While the County is not a water purveyor, coordination of regional water supply planning for sustainable groundwater basin management provides benefit to private well owners, groundwater dependent ecosystems within County jurisdiction, and municipal water supplies affected by basin sustainability. Similarly, while the County is not a fisheries regulatory agency per se, development of water supply flexibility, which provides adequate instream flows for fish and protection of other beneficial uses of water, is well-aligned with County environmental values. The WAC has recommended declaration of a groundwater emergency in the Pajaro basin in the past and should maintain its focus on ensuring that adequate measures are being taken to alleviate the overdraft situation there (per County Code Section 7.70.130 Groundwater emergencies), support regional supply planning efforts (especially regarding the development of conjunctive use and groundwater recharge opportunities) and proactively engage the BOS in advancing support for supply alternatives and more sustainable groundwater management strategies as they emerge in this basin, including Pajaro River flood control management strategies that support protecting groundwater recharge.

3) Santa Margarita Groundwater Management

Issue Brief:

Groundwater is the primary source of drinking water for residents living within the Santa Margarita Groundwater Basin (SMGB) boundary. Groundwater is also important to stream base flow in the summer months. Rainfall is the only source of recharge in the basin. The groundwater basin is shared by users including the Scotts Valley Water District (SVWD), the San Lorenzo Valley Water District (SLVWD), Mount Hermon Association (MHA), as well as local businesses and residents using private wells. To that end, SVWD, SLVWD, and County of Santa Cruz (County) recognize that sustainable groundwater management is essential to ensuring reliable and resilient water systems and they wish to continue to work cooperatively on implementing SGMA.

The Basin is made up of the Santa Margarita sandstone, Monterey shale and the Lompico and Butano formations. The basin is now in a state of overdraft due to decades of over pumping — taking water out at a higher rate than it can be recharged into the basin. Groundwater levels are now approximately 200 feet below their natural levels. While these levels are no longer decreasing, recovery is still far away. Low groundwater levels mean less water in the streams for fish and wildlife, and less water security for people. The Scotts Valley Water District prepares annual reports that focus on groundwater conditions and system operations in the Scotts Valley area of the Santa Margarita Basin. Previously the DWR Bulletin 118 (DWR 2003) did not identify SMGB as a groundwater basin, but rather recognized three smaller basins in its vicinity: Scotts Valley Basin, Felton Area Basin, and Santa Cruz Purisima Formation. These basins did not accurately reflect the groundwater supply resources supporting the North Santa Cruz County communities. SVWD, with support from SLVWD and County, prepared a boundary modification request that was submitted to DWR in January 2016 and approved in August 2016.

Under the Sustainable Groundwater Management Act, a groundwater management agency (the Santa Margarita Groundwater Management Agency) has been formed for this basin as well.

For more information go here.

Current Status:

Current focus of the agency includes developing a groundwater model, developing a work plan to prepare a groundwater sustainability plan, public outreach and education and developing a groundwater sustainability plan. The Santa Margarita Groundwater Agency has recently selected EKI Environment and Water to evaluate and make recommendations for upgrades to the existing Santa Margarita Groundwater Model, for use in developing a Groundwater Sustainability Plan for the Santa Margarita Groundwater Basin. The Santa Margarita Groundwater Agency has also recently selected California State University Sacramento to assist with the joint goal-setting process that will help establish a solid foundation for the planning work that will be required during the Groundwater Sustainability Plan development effort of the Sustainable Groundwater Management Act.

WAC Role:

As with the other groundwater basins previously mentioned, coordination of regional supply planning for a sustainable groundwater basin, management benefits private well owners within the County jurisdiction as well as groundwater dependent ecosystems within County jurisdiction and municipal water supplies influenced by groundwater basin management. Similarly, while the County is not a fisheries regulatory agency per-se, development of water supply flexibility which includes provision of adequate instream flows for fish, is well-aligned with County environmental values and supports other instream beneficial uses of water.

4) County Environmental Planning and Code Compliance Performance

Issue Brief:

The WAC has been aware that implementation of County environmental and resource protection codes (Title 16) has been marginally effective. Due to the dynamics of staffing, the pre-existing historic, non-conforming development that dominates most watersheds in the County, population pressure and other challenges, implementation of these codes is challenging. Given the presence of special status listed species such as steelhead and coho in County streams and the fact that Santa Cruz County relies solely on local water, effective implementation of these codes is a high priority.

Current Status:

While staffing in the Code Compliance unit of the Planning Department is currently comprised of experienced and dedicated individuals, focus is often diverted from issues that have broader impacts on water resources to issues that are elevated by neighborhood conflicts—particularly regarding enforcement of the County's new commercial cannabis ordinance. For example, long-standing programs such as timber harvest review have received less attention in recent years than they have previously.

In the past several years, a multi-stakeholder code compliance roundtable has been formed with representatives from many local, state and federal agencies. This roundtable attempts to identify enforcement priorities, synergies between agencies and otherwise make enforcement more effective. Additionally, the Cannabis Licensing unit of the Planning Department has brought on additional staff to help enforce effective implementation of the new commercial cannabis cultivation and manufacturing ordinances. In time, it is likely that these staff will be absorbed by the Code Compliance unit, providing additional environmental planning and code compliance bandwidth.

County, City of Santa Cruz, San Lorenzo Valley Water District, Coastal Watershed Council, Resource Conservation District and other partners have also developed a multifaceted approach to facilitating riparian conservation in the past year. The Riparian Conservation Program (RCP) includes non-regulatory and regulatory means to achieve greater conservation success in the San Lorenzo River watershed, and may provide a model for expanded work of this kind in other County watersheds.

For more information please go here.

WAC Role:

The WAC should continue to support these efforts. Specifically, the WAC may ask Planning to provide an annual update on code compliance program functions, advocate to the District Attorney's office their support for pursuit of prosecution of egregious violations, evaluate the future role of the County in timber harvest review, and consider how they can support implementation of the RCP in the San Lorenzo River watershed as well as other watersheds throughout the County.

5) Karst Protection Zone Program Development

Issue Brief:

County codes have not historically provided protection for karst-derived water resources. These resources are disproportionately important for support of both municipal water supply and cold water fisheries (including coho and steelhead) and, due to their unique geology, are both limited in geographic scope and highly subject to degradation by anthropogenic disturbance.

Current Status:

In 2016, the BOS directed County departments to incorporate karst-protective language into future updates of their respective ordinances and policies. Environmental Health Services initiated updates of their onsite wastewater disposal ordinance, with such language in 2018, and Planning incorporated karst-protective standards in the commercial cannabis cultivation and manufacturing policies, also in 2018.

WAC Role:

Review of geologic mapping to determine priority focus areas, periodic review of the status of policy and ordinance updates by County departments, review of the specific details of these changes and subsequent follow up with the BOS as appropriate, should be an ongoing focus for the WAC on this issue. Specifically, the WAC may advocate for protection of key karst zones in future General Plan updates.

6) Pajaro River Flood Control

Issue Brief:

The Pajaro Flood Risk Reduction Project was authorized by the Flood Control Act of 1966 following overtopping and failure in 1955 of the original Army Corps levees built in 1949. The two local sponsors, the Zone 7 Flood Control District of Santa Cruz County and the Monterey County Water Resources Agency, have been working with the Corps since 1966 to develop a preferred alternative and to finalize environmental review on an improved levee system that will

more adequately address flooding in the lower Pajaro River system (including Salsipuedes Creek).

Current Status:

Completion of this planning phase is expected to occur in March 2019 with the release of a coupled Director's Report and Environmental Assessment-Finding of No Significant Impact. The local sponsors are simultaneously pursuing environmental review under CEQA. The local sponsors are also currently working with federal counterparts to secure investment, while also leveraging State support through the Project's Flood Subventions authorization. The expectation is that these funding sources, along with local match support, will allow the project to move into the design and construction phases, culminating in a rebuilt and enhanced flood risk reduction project that also improves habitat and stream function along the lower Pajaro River system.

WAC Role:

Particularly with regard to future climate change-related hydrologic and sea level changes, this work will continue to be very challenging. Groundwater overdraft and special-status anadromous fisheries conservation are of paramount importance in the lower Pajaro system and the overlap of flood control planning with these issues is significant. The WAC should support the ongoing work of the Zone 7 Flood Control District of Santa Cruz County and the Monterey County Water Resources Agency and advocate to the BOS adoption of a final plan/project alternative that supports improved watershed functions as well as provision of adequate flood protection.

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7) Others as needed (TBD)

Issue Brief:

The WAC occasionally becomes aware of issues that warrant investigation and interaction with the BOS regarding County policy. While many of these issues fall within broader subject areas already on the WAC agenda, other issues may arise that are outside of the WAC's current scope.

Current Status:

While lack of prioritization of focus threatens the efficacy of the WAC, maintaining some ability to respond to new issues is an important role for the WAC. For example, the current fuel management strategies being pursued County-wide by PG&E threaten (whether they be implemented or not) to affect water quality and water supply for many of the County's residents. Issues of this nature warrant the BOS involvement and therefore WAC support.

WAC Role:

While the County is well supported by knowledgeable policy-makers and other water stakeholder groups that can inform the BOS, the WAC is the only advisory body specifically focused on water resource management enabled by County code and should maintain and

strengthen that role with the BOS as much as possible. These kind of urgent, new issues are not unusual, and maintaining the ability to respond to them in a timely manner is of great importance to the WAC. Admittedly, the meeting frequency of the BOS and WAC often limits the opportunity for timely engagement on new issues, but the WAC should endeavor to maintain involvement in them, nonetheless. Specifically, the WAC should preserve the option to hold emergency meetings to address issues like this as they arise. Similarly, the BOS should not hesitate to call upon the WAC, should issues arise that warrant technical and public input in order to advance County policy-making.

8) Coordination with other County commissions

A. Code Compliance
B. Extreme Weather and Climate Change Response[1]
C. Coho recovery
D. Cannabis cultivation
E. Coordinated San Lorenzo River Restoration[2]
F. Others as needed

Commented [2]: Needs renewed discussion with FWAC and COE

Issue Brief:

The issues above have from time to time been high priority focus areas for the WAC as well as other commissions. However, a unified strategy for focus on each of these issues has yet to be coordinated with these commissions. As described previously, in 2014 commissioners of the Commission on the Environment (COE), Fish and Wildlife Advisory Commission (FWAC) and Water Advisory Commission (WAC) determined to better coordinate their support of the BOS with regard to policy matters primarily involving water resources and related concerns. The ICCWG was formed at that time and has served as an informal vehicle for role identification, collaboration and coordination with regard to a variety of issues that challenge the County. Furthermore, this group has served to provide a context for the biennial joint meeting of these commissions and—with staff support—to facilitate the productivity of those meetings. A representative of each commission is assigned to the ICCWG.

Current Status:

Chris Berry, Linda Wilson and Carol Hamilton-Monkerud are the WAC representatives on the ICCWG currently. The ICCWG has not met in recent months but did coordinate closely on policy recommendations with regard to the County's new commercial cannabis manufacturing and cultivation policies. The ICCWG also coordinated with staff to hold a joint public meeting in May 2017 that specifically addressed climate change effects on local weather, sea level change, hydrology and related matters. The ICCWG will soon begin coordinating the 2019 joint meeting with staff.

WAC Role:

[1] Formerly "Drought Response"
[2] Formerly "San Lorenzo River Alliance"

Developing the three commissions' alignment around positions on water resource management issues and identifying and maintaining discrete roles of the commissions respective to their particular subject matter expertise and bylaws should continue to be the focus of this work. The WAC should continue to participate in the ICCWG and joint commission meetings, focus on resolving joint strategies on issues that require coordination with other commissions, reduce redundancy in effort and find synergies with these other commissions' work where possible. This will ensure that the BOS is kept apprised of significant water resource management issues in a meaningful manner that is inclusive of other related significant issues the County currently faces (fisheries conservation and recovery, climate change adaptation, etc.).

Commissioner Roles and Assignments (TBD)

Commented [3]: Commissioner assignments needs confirmation with WAC

Issue	Commissioner(s)	Notes
1) Soquel/Santa Cruz Supply Development - Mid-County Groundwater Management	CHM, CB	Can confer with several Soquel Creek Board members and Central Water District manager.
2) Pajaro Groundwater Management	TG, OS	TBD
3) Santa Margarita Groundwater Management	ME, CB	TBD
4) County Environmental Planning and Code Compliance Performance	CB, LW	Presentation on cannabis program at 10/4 FWAC meeting
5) Karst Protection Zone Program Development	CB, LW	SLR 2025 process supporting program guidance document development
6) Pajaro River Flood Control	TG, CHM	WAC involvement may be limited on this issue
7) Other	TBD	As needed
8) Coordination with other County commissions	CB/LW/CHM	Ongoing