



September 19, 2016

Honorable Mark E. Hood
Superior Court
240 Church Street
Salinas, CA 93901

Subject: Grand Jury Final Report "Striving for Sustainability"

Dear Judge Hood:

We are in receipt of the 2015-16 Monterey County Civil Grand Jury Final Report entitled "Striving for Sustainability." We appreciate the members of the Grand Jury dedicating their time and energy to such critical issues affecting the County. Our District commends the Grand Jury for attempting to add their voice to the complex issue of the Sustainable Groundwater Management Act.

The Grand Jury has requested that our Board respond to Findings F1 through F16 and Recommendations R1 through R5; which we have done below.

Findings:

1. Monterey County is critically dependent on groundwater for both its agricultural and urban water needs. *The District agrees with the finding.*
2. Groundwater is critically important to Monterey County's economy. *The District agrees with the finding.*
3. Several groundwater basin aquifers in Monterey County are now in overdraft. *The District agrees with the finding.*
4. Overdrafting has resulted in seawater intrusion into the 180 and 400 foot aquifers in northern Salinas Valley Basin. *The District agrees with the finding.*
5. Seawater intrusion results in localized salt-contaminated groundwater that is unsuitable for both urban and agricultural uses. *As is, the water is unsuitable, but with available advanced treatment technology the water could be treated and used.*

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6. If no Groundwater Sustainability Agency (GSA) is formed by June 30, 2017 for the Salinas Valley Basin, the County of Monterey could then choose to become the GSA for that basin. *That is the District's understanding, however an alternate local agency could decide to become a GSA that intends to develop a GSP for the entire basin, or a collection of local agencies might form separate GSAs and develop one or more GSPs that will collectively serve as a GSP for the entire basin.*
7. If the County of Monterey chose to become the GSA for the Salinas Valley Basin that choice would prevent the State Water Resources Control Board (SWRCB) from intervening in the local Groundwater Sustainability Plan (GSP) planning process except for overseeing and insuring GSP compliance. *If the Collaborative Working Group has selected the County as the GSA, or fails to do so by June 30, 2017, then perhaps the County could become the GSA to avoid the SWRCB intervention.*
8. Prior to the Sustainable Groundwater Management Act (SGMA), local groundwater management plans lacked sufficient enforcement authority to fully manage groundwater sustainability. *The District agrees with this finding.*
9. SGMA confers on GSAs stronger enforcement authority than had existed under previous groundwater management enactments or local plans. *The District agrees with this finding.*
10. The non-adjudicated Salinas Valley Marina Area and the Salinas Valley Corral De Tierra Area should be included under the authority of the Salinas Valley Basin GSA and part of the GSA's Groundwater Management Plan (GMP). *The District's understanding is that unless there are entities that are eligible and want to form their own GSA's for those basins, they would have to be represented in the larger county-wide GSA.*
11. Consensus Builders, Inc. has been retained by the City of Salinas, on behalf of itself and others, in an attempt to integrate competing Salinas Valley groundwater interest's in order to arrive at a consensus GSA before June 30, 2017. *The District agrees with this finding.*
12. Many local individuals and entities have for several years been vitally interested in preserving, enhancing and sustaining both groundwater and surface water availability in the Monterey Peninsula – Salinas Valley areas. *The District agrees with this finding.*
13. As a result of past efforts, there are several existing and planned projects that could logically be included in any GSPs adopted within the Monterey Peninsula – Salinas Valley areas, since each such project impacts groundwater sustainability. *The District agrees with this finding.*
14. Some existing and planned projects for logical inclusion in a local GSP include:
 - a) The Salinas Valley Reclamation Plant (SVRP) and the Castroville Seawater Intrusion Project (CSIP) Distribution System.
 - b) The Pure Water Monterey Groundwater Replenishment Project

- c) The Soledad Water Recycling/Reclamation Project
- d) The Salinas Valley Water Project
- e) The Seaside Aquifer Storage & Recovery Project
- f) The California Statewide Groundwater Elevation Monitoring Program
- g) The Groundwater Extractions Monitoring System
- h) The Salinas River Arundo Removal Project
- i) The Interlake Tunnel Project
- j) The Cal-Am Monterey Peninsula Water Supply Project
- k) The DeepWater Desal Desalination/Data Center Project
- l) The Marina Coast Water District Desalination Project
- m) The People's Moss Landing Desalination Project
- n) The Sand City Water Supply Project
- o) Urban Water Conservation
- p) Agricultural Water Conservation

The District is not fully aware of the details of the entire list of projects, above. However, an additional project is the capture and reuse of storm water for beneficial use, presently being studied as part of the Monterey Regional Storm Water Management Plan and led by the City of Monterey.

- 15. As with other legislation that impacts those with divergent interest, legal maneuvering and delaying tactics can, in the case of SGMA, cause the loss of local controls over groundwater planning and management. *The District agrees with this finding.*
- 16. As with other legislation that impacts those with divergent interests, legal maneuvering and delaying tactics can, in the case of SGMA, cause already critical groundwater conditions in Monterey County to get much worse, to the detriment of all concerned. *The District agrees with this finding.*

Recommendations:

As for the recommendations section, The District provides the following responses:

- 1. That every public and private entity interested in the formation of a GSA and the adoption of GSP for the Salinas Valley Basin to consider the groundwater needs of every other interested party with an open mind and a commitment to fairness. *The District agrees with this recommendation.*
- 2. That if the June 30, 2017 deadline for forming one or more GSAs for the Salinas Valley Basin is not met by other interested parties, the County of Monterey agree to become the GSA for that basin in order to prevent state intervention in local groundwater planning. *The District recommends this item needs further analysis of County resources, staffing, and desire to perform such duties.*
- 3. That the County of Monterey actively participate in the currently ongoing effort by Consensus Builders, Inc. to help achieve the formation of one or more GSAs for the

Salinas Valley Basin before June 30, 2017 deadline. *The District agrees with this recommendation.*

4. That the County of Monterey remain mindful of the possibility that it may become the GSA for the Salinas Valley Basin and, with that in mind, take all steps as far in advance of the June 30, 2017 deadline as necessary for it to assume that role prior to the deadline. *The District recommends this item needs further analysis because it may undermine the intent of "Recommendation #3", above.*

5. That the County of Monterey remain mindful of the possibility that it may become the GSA for the Salinas Valley Basin and, with that in mind, begin immediately to consider GSP optional components. *The District recommends this item needs further analysis because it may undermine the intent of "Recommendation #3", above.*

Thank you for the opportunity to review the Grand Jury Final Report and to provide our responses.

On behalf of the Board of the Monterey Peninsula Water Management District,

Sincerely yours,



for
Jeanne Byrne
Chair