

MONTEREY COUNTY



COUNTY ADMINISTRATIVE OFFICE

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September 20, 2016

The Honorable Mark E. Hood
Presiding Judge of the Superior Court
Monterey County Superior Courts
240 Church Street
Salinas, CA 93901

**SUBJECT: Response to 2015-2016 Monterey County Civil Grand Jury Interim Final Report–
“Striving for Sustainability”**

Dear Judge Hood:

Attached please find the Monterey County Board of Supervisors Response to 2015-2016 Monterey County Civil Grand Jury Interim Final Report– “Striving for Sustainability” and the signed Board Order. The Board of Supervisors approved the response on September 13, 2015, which complies with the requirements set forth in Sections 933 and 933.05 of the California Penal Code.

The Board approved response should be deemed and accepted by the Presiding Judge of the Superior Court of Monterey County and the Monterey County Civil Grand Jury as the response of the Board of Supervisors, County Administrative Officer, and appointed department heads.

Sincerely,

Lew C. Bauman
County Administrative Officer

By: Manuel T. Gonzalez
Assistant County Administrative Officer

MTG:mri

cc: Lew C. Bauman, County Administrative Officer
Office of the County Counsel

Attachments: Board of Supervisors Response
September 13, 2016 Board Order



Monterey County Board of Supervisors

168 West Alisal Street,
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Board Order

Upon motion of Supervisor Phillips, seconded by Supervisor Salinas and carried by those members present, the Board of Supervisors hereby:

- a. Approved the amended response to the 2015 - 2016 Monterey County Civil Grand Jury Interim Final Report: "Striving for Sustainability"; and
- b. Directed the County Administrative Officer to file the approved the amended response with the Presiding Judge of the Superior Court, County of Monterey, by September 22, 2016.

PASSED AND ADOPTED on this 13th day of September 2016, by the following vote, to wit:

AYES: Supervisors Armenta, Phillips, Salinas, Parker and Potter

NOES: None

ABSENT: None

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 79 for the meeting on September 13, 2016.

Dated: September 20, 2016
File ID: 16-1029

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By Denise Hancock
Deputy



Monterey County Board of Supervisors

Response to the

2015-2016 Monterey County Civil Grand Jury Interim Final Report

STRIVING FOR SUSTAINABILITY

July 19, 2016

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REPORT TITLE: Striving for Sustainability

RESPONSE BY: Monterey County Board of Supervisors

RESPONSE TO: Findings F-1, F-2, F-3, F-4, F-5, F-6, F-7, F-8, F-9, F10, F-11, F-12, F-13, F-14, F-15 and F-16

Finding F-1: *Monterey County is critically dependent on groundwater for both its agricultural and urban water demands.*

Response F-1: *The Board of Supervisors agrees with this finding.*

Finding F-2: *Groundwater is critically important to Monterey County's economy.*

Response F-2: *The Board of Supervisors agrees with this finding*

Finding F-3: *Several groundwater basin aquifers in Monterey County are now in overdraft.*

Response F-3: *The Board of Supervisors agrees with this finding*

Finding F-4: *Overdrafting has resulted in seawater intrusion into the 180 and 400 Foot aquifers in the northern Salinas Valley Basin.*

Response F-4: *The Board of Supervisors partially disagree with this finding. Although the Pressure Subarea has been designated a critically-overdrafted basin, the driving force of seawater intrusion in the Pressure Subarea has been pumping along the coast, coupled with a lack of Salinas River recharge to the Pressure Subarea*

Finding F-5: *Seawater intrusion results in localized salt- contaminated groundwater that is unsuitable for both urban and agricultural uses.*

Response F-5: *The Board of Supervisors agrees with this finding.*

Finding F-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 the basin.*

Response F-6: *The Board of Supervisors agrees with this finding.*

Finding F-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.*

Response F-7: *The Board of Supervisors agrees with this finding. The Board notes, however, even if the County chose to become the GSA for the basin, the SWRCB may intervene if it determines that a GSP adopted by the County is inadequate.*

Finding F-8: *Prior to the Sustainable Groundwater Management Act (SGMA), local groundwater management plans lacked sufficient enforcement authority to fully manage groundwater sustainability.*

Response F-8: *The Board of Supervisors agrees with this finding.*

Finding F-9: *SGMA confers on GSAs stronger enforcement authority than had existed under previous groundwater management enactments or local plans.*

Response F-9: *The Board of Supervisors agrees with this finding.*

Finding F-10: *The non-adjudicated Salinas Valley Marina Area and the Salinas Valley Corral de Tierra Area should be included of the Salinas Valley Basin GSA and part of the GSA's Groundwater Management Plan (GMP).*

Response F-10: *The Board of Supervisors agrees with this finding (assuming that the GMP referenced actually means the Groundwater Sustainability Plan to be developed by the GSA). The Board notes, however, that the Marina Coast Water District recently determined to consider forming its own GSA covering its service territory.*

Finding F-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.*

Response F-11: *The Board of Supervisors agrees with this finding.*

Finding F-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.*

Response F-12: *The Board of Supervisors agrees with this finding.*

Finding F-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.*

Response F-13: *The Board of Supervisors agrees with this finding.*

Finding F-14: Some of the existing and planned projects for logical inclusion in a local GSP include:

Response F-14: See respective answers for each project or program below (a – p)

a.	<i>The Salinas Valley Reclamation Plant (SVRP) and the Castroville Seawater Intrusion Project (CSIP) Distribution System</i>	<i>Agree – existing infrastructure</i>
b.	<i>The Pure Water Monterey Groundwater Replenishment Project</i>	<i>Agree – when project comes on-line</i>
c.	<i>The Soledad Water Recycling / Reclamation Project</i>	<i>Agree – when project comes on-line</i>
d.	<i>The Salinas Valley Water Project</i>	<i>Agree – existing infrastructure</i>
e.	<i>The Seaside Aquifer Storage & Recovery Project</i>	<i>Agree – existing infrastructure</i>
f.	<i>The California Statewide Groundwater Elevation Monitoring Program</i>	<i>Agree</i>
g.	<i>The Groundwater Extractions Monitoring System</i>	<i>Agree – existing program, needs expansion</i>
h.	<i>The Salinas River Arundo Removal Project</i>	<i>Agree – existing program, need to retain and maintain permits</i>
i.	<i>The Interlake Tunnel Project</i>	<i>Agree – when project comes on-line</i>
j.	<i>The Cal-Am Monterey Peninsula Water Supply Project</i>	<i>Agree – Depends which Desalination project is built, or if there are multiple projects</i>
k.	<i>The DeepWater Desal Desalination/Data Center Project</i>	<i>Agree – Depends which Desalination project is built, or if there are multiple projects</i>
l.	<i>The Marina Coast Water District Desalination Project</i>	<i>Agree – Depends which Desalination project is built, or if there are multiple projects</i>
m.	<i>The People's Moss Landing Water Desalination Project</i>	<i>Agree – Depends which Desalination project is built, or if there are multiple projects</i>
n.	<i>The Sand City Water Supply Project</i>	<i>Agree – existing infrastructure</i>
o.	<i>Urban Water Conservation</i>	<i>Agree – all conservation is important, though reducing the urban component of 10% used in the Salinas Valley by 20% will not provide the largest effect on the Salinas Valley Groundwater Basin as would Agricultural Water Conservation methods</i>
p.	<i>Agricultural Water Conservation</i>	<i>Agree – continued Agricultural Water Conservation efforts need to be championed and incentivized for additional participation</i>

Finding F-15: *As with other legislation that impacts those with divergent interests, legal maneuvering and delaying tactics can, in the case of SGMA, cause the loss of local controls over groundwater planning and management.*

Response F-15: *The Board of Supervisors agrees with this finding.*

Finding F-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.*

Response F-16: *The Board of Supervisors agrees with this finding.*

REPORT TITLE: Striving for Sustainability
RESPONSE BY: Monterey County Board of Supervisors
RESPONSE TO: Recommendations R-1, R-2, R-3, R-4 and R-5

Recommendation R-1: *That every public and private entity interested in the formation of a GSA and the adoption of a GSP for the Salinas Valley Basin pledge to consider the groundwater needs of every other interested party with an open mind and a commitment to fairness*

Response R-1: *This recommendation has not yet been implemented, but will be implemented as part of the facilitated process with CBI, Inc. that includes a Collaborative Working Group (CWG) and large Stakeholder Outreach meetings as part of the process.*

Recommendation R-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.*

Response R-2: *The recommendation requires further analysis. The Board of Supervisors of the County at a future date has the legal discretion after reviewing the facts of the situation to implement the recommendation.*

Recommendation R-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 the June 30, 2017 deadline.*

Response R-3: *. The recommendation has been implemented. County staff has been actively involved in the CWG and Stakeholder meeting process.*

Recommendation R-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 that deadline.*

Response R-4 *The recommendation requires further analysis. The consensus building process is currently underway, in compliance with the SGMA. As the process evolves, County staff will monitor the progress and advise the Board of Supervisors with options and recommendations.*

Recommendation R-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.*

Response R-5: *The recommendation requires further analysis. The consensus building process is currently underway, in compliance with the SGMA. As the process evolves, County staff will monitor the progress and advise the Board of Supervisors with options and recommendations.*