



June 18, 2021

Pajaro Valley Water Management Agency

Submitted electronically to:

Brian Lockwood, General Manager

Marcus Mendiola, Water Conservation & Outreach Specialist

Re: Comments on the Groundwater Levels Sustainable Management Criteria for Pajaro Valley Basin

Dear GSU22 Committee and PV Water Staff:

The Community Water Center (CWC) offers the following comments and recommendations regarding key components of the Groundwater Levels Sustainable Management Criteria for Pajaro Valley Basin that were discussed during the Ad Hoc Sustainable Groundwater Planning Advisory Committee Meeting on May 13, 2021. These comments are intended to add to the public record and are submitted in addition to previous spoken comments.

Groundwater Levels SMC

CWC shares concerns expressed by rural residential community members, and would like more information about potential domestic drinking water well impacts at and below proposed minimum thresholds. We make the following recommendations to the GSU22 Committee:

- **Conduct a domestic well impact analysis to determine potential impacts of setting the GWL SMC at 2015 levels.** If such an analysis exists, make the results more publicly available and include as part of future discussions regarding setting SMCs. Residents have expressed in a signed petition that the groundwater levels occurring in 2015 created significant negative impacts to their drinking water access. These concerns should be thoroughly considered and addressed, as these are beneficial users who are specifically named in the SGMA statute. (Water Code Section 10723.2)
 - In the [Well Depth Analysis](#) shared at the meeting on April 8, 2021, numerous shallow wells were excluded from the analysis. Did all excluded wells have screen depths above current groundwater levels? Were those wells' screen depths also above 2015 groundwater levels? SGMA mandates that GSAs are responsible for groundwater impacts starting in 2015.
- **Revisit the residents' petition & GWL SMCs in the Advisory Committee.** GSU22 Committee Member Marla Anderson submitted the petition and accompanying signatures to the Committee for consideration but had technical difficulties during this portion of the meeting and was unable to respond when Committee Member Suchil requested more information. Temporary technical issues should not be a barrier to meaningful participation, especially not from a member of the Committee. Time should be set aside at the next meeting to allow Committee Member Anderson to thoroughly present the information and community requests within the petition she has sponsored, with the opportunity to respond to questions from the Committee and stakeholders.

- **Include a summary of the concerns raised by the residents’ petition in the GSU22 Committee’s report to the PV-Water Board; recommend that the Board hear this information directly in its next session.**
 - In particular, Committee Member Anderson’s presentation raises the issue of approximately 90% of domestic wells anticipated to go dry based on proposed GW levels. (Slide 2)
 - Additionally, Committee Member Anderson’s presentation raises the question of significant geographic data gaps. (Slide 9)
- **Instead of dismissing Committee Member Anderson’s well’s status, the Committee should investigate further to ensure that other wells are not having similar problems with chloride, and address the issue (at a minimum preventing it from worsening) if found to be impacting beneficial users.** Because SGMA requires tracking water quality conditions, there is a burden of proof to show that Committee Member Anderson’s well is *not* representative of others with similar characteristics.
 - At the May 13, 2021 meeting, Cameron Tana from Montgomery & Associates, stated: “Wells can fail for many reasons, localized reasons. SGMA is meant to set requirements for the overall basin. When setting the requirements for the whole basin, they can’t just focus on individual wells to represent the entire basin.”
 - SGMA requires that groundwater be managed in a way that avoids undesirable results including “significant and unreasonable degraded water quality, including the migration of contaminant plumes that impair water quality.” (Water Code Section 10721(x)(4)).
 - Groundwater Conditions: “Each Plan shall provide a description of current and historical groundwater conditions in the basin, including... groundwater quality issues that may affect the supply and beneficial uses of groundwater, including a description and map of the location of known groundwater contamination sites and plumes.” (23 CCR 354.16(d)).
 - Monitoring Network: “Each monitoring network shall be designed to accomplish the following for each sustainability indicator: ...Degraded Water Quality: Collect sufficient spatial and temporal data from each applicable principal aquifer to determine groundwater quality trends for water quality indicators, as determined by the Agency, to address known water quality issues.” (23 CCR 354.34(c)(4)).
 - Committee Member Anderson’s well may not have been included for routine monitoring in the monitoring network, but the results from her well are meaningful. She is representing her fellow residents, drinking water beneficial users, precisely in order to raise concerns that are applicable to residents with similar issues.
 - This reinforces the importance of representative monitoring, because the status of the wells included define our understanding of the entire basin’s conditions.
 - “Monitoring network objectives shall be implemented to accomplish the following: (1) Demonstrate progress toward achieving measurable objectives described in the Plan. (2) Monitor impacts to the beneficial uses or users of groundwater. (3) Monitor changes in groundwater conditions relative to

measurable objectives and minimum thresholds. (4) Quantify annual changes in water budget components.” (23 CCR 354.34 (c)(4)).

- **Develop and implement a Robust Drinking Water Well Mitigation Program.** This program should include (1) a plan to prevent impacts to drinking water users from dewatering, increases in contaminant levels and increases in salinity, and (2) a plan to mitigate the drinking water impacts that occur even when precautions are taken.
 - CWC, together with other organizations, published a Framework for a Drinking Water Well Mitigation Program (2020) that we recommend PV-Water uses to help develop their own program. We are also interested in sharing more with staff and are willing to provide a presentation on this Framework to the Ad Hoc Committee as well as PV-Water staff and Board members. The Framework describes the importance of adaptive management, outlining, “Developing a protective warning system... can alert groundwater managers when groundwater levels and groundwater quality are dropping to a level that could potentially negatively affect drinking water users. These “triggers” are essential for groundwater management and can be adjusted to fit the needs of different management actions as well as the basin as a whole.”¹
 - CWC offers to present to the Advisory Committee and PV-Water Board on the Well Impact Mitigation Program Framework, so that this concept might be adapted and integrated into the 2022 Groundwater Sustainability Update. The presentation currently runs about 15 minutes, and CWC would be happy to provide the slides and supplemental materials ahead of time for the Committee’s consideration.

Sincerely,



Justine Massey, JD
Community Water Center



Mayra Hernandez
Community Water Center
GSU22 Committee:
Rural Residential Owners Alternate

¹ See Self-Help Enterprises, Leadership Counsel for Justice and Accountability, Community Water Center (2020) *Framework for a Drinking Water Well Impact Mitigation Program*.
https://static1.squarespace.com/static/5e83c5f78f0db40cb837cfb5/t/5f3ca9389712b732279e5296/1597811008129/Well_Mitigation_English.pdf.