Resolution 2025-03

A Resolution of the Board of Directors of the
Pajaro Valley Water Management Agency

Approving the Addendum to the Watsonville Slough System Managed Aquifer Recharge and Recovery Project Environmental Impact Report (SCH No. 2019059130)

The Board of Directors of the Pajaro Valley Water Management Agency does resolve as follows:

SECTION 1. Procedural Findings. The Board of Directors of the Pajaro Valley Water Management Agency ("Agency") does hereby find, determine, and declare that:

A. The Agency was formed, among other purposes, to provide integrated management of the ground and surface water resources within the Pajaro Valley Groundwater Basin ("Pajaro Basin"). As the sole local agency responsible for the integrated management of water resources for the Pajaro Basin, the Agency bears responsibility for the management and augmentation of water supplies for domestic, agricultural, municipal and industrial purposes.

B. In 1994, the Agency adopted a long-term Basin Management Plan ("BMP") which identified various water supply projects involving local water sources and importation of supplemental water, to balance water demands with water supplies in the Pajaro Basin. In 2002, the Agency adopted a revised BMP.

C. In 2010, the Agency formed an Ad Hoc BMP Committee to develop a further updated BMP that would include a portfolio of projects and programs to address the problems of seawater intrusion and basin overdraft in the Pajaro Basin. This work resulted in the Agency's adoption in 2014 of an updated BMP ("BMP Update").

D. Throughout much of the Pajaro Basin, groundwater levels have declined as a result of long-term groundwater overdraft. Overdraft conditions result in seawater intrusion, groundwater quality degradation, and groundwater storage depletion. To address these circumstances, and in furtherance of the BMP Update, the Watsonville Slough System Managed Aquifer Recharge and Recovery Project ("Project") was developed. The primary purposes of the Project are to help balance the groundwater basin, prevent further seawater intrusion, and help meet water supply needs in the Agency's service area.

E. The Project is located in unincorporated Santa Cruz County. The Project includes installation of an intake screen, replacement of intake pumps, and mechanical equipment upgrades at the Harkins Slough filter plant; installation of a screened intake and pump station at Struve Slough and a pipeline to connect the new Stuve Slough pump station to the Harkins Slough filter plant; construction of a recharge basin and associated recovery wells, monitoring wells, and pipelines; and construction of a mitigation pond adjacent to Watsonville Slough and north of the Struve Slough to filter plant pipeline.

F. The Project was processed, including but not limited to all public notices, in the time and manner prescribed by State and local law, including the California Environmental Quality Act (CEQA), Public Resources Code § 21000, *et seq*. and the CEQA Guidelines, 14. Cal. Code Regs. § 15000, *et seq*.

G. Pursuant to CEQA, the Agency is the lead agency for the Project because it is the public agency with the authority and principal responsibility for reviewing, considering, and potentially approving the Project.

H. The Agency determined that an environmental impact report (EIR) would be required for the Project and issued a Notice of Preparation (NOP) on May 31, 2019. The NOP was sent to the State Clearinghouse (SCH # 2019059130), responsible agencies, trustee agencies, and interested parties and posted on the Agency's website. The public review period extended from May 31, 2019, to July 1, 2019, and its purpose was to receive comments and input from interested public agencies and private parties on issues to be addressed in the EIR for the Project.

I. In accordance with CEQA Guidelines Section 15082(c)(1), a scoping meeting was held during the NOP review period, on June 12, 2019 at 4:00 p.m. to solicit additional suggestions on the scope of the Draft EIR. Attendees were provided an opportunity to identify verbally or in writing the issues they felt should be addressed in the Draft EIR.

J. The scope of the Draft EIR was determined based on the NOP, comments received in response to the NOP, and comments received at the scoping meeting conducted on June 12, 2019.

K. The Agency contracted for the independent preparation of a Draft EIR for the Project, including preparation and review, as applicable, of all necessary technical studies and reports in support of the Draft EIR. In accordance with CEQA and the CEQA Guidelines, the Agency analyzed the Project's potential impacts on the environment, potential mitigation, and potential alternatives to the Project.

L. Upon completion of the Draft EIR in September 2020, the Agency initiated a public comment period by preparing and sending a Notice of Availability (NOA) for the Draft EIR to all interested persons, agencies, and organizations. The Agency also filed a Notice of Completion (NOC) with the State Office of Planning and Research. The Draft EIR was made available for a forty-eight (48)-day public review period beginning September 1, 2020, and ending on October 16, 2020.

M. Copies of the Draft EIR were sent to various public agencies, as well as to organizations and individuals requesting copies. In addition, copies of the Draft EIR were available at the Agency's office located at 36 Brennan Street, Watsonville, California, and at the Watsonville Public Main Library and the Freedom Branch, and the Monterey County Library – Pajaro Branch. Electronic copies of materials incorporated by reference in the Draft EIR were also available for review at the Agency's office. The Draft EIR was also available 24 hours per day online at https://www.pvwater.org/wss-marr.

N. In response to the Draft EIR, written comments were received from various public agencies and individuals. In compliance with CEQA Guidelines Section 15088, the Agency prepared written responses to all comments. None of the comments presented any significant new environmental impacts or otherwise constituted significant new information requiring recirculation of the Draft EIR

pursuant to CEQA Guidelines Section 15088.5.

O. The Final EIR consists of the Draft EIR and all of its appendices, the comments and responses to comments on the Draft EIR, and clarifications/revisions to the Draft EIR. The Final EIR was made available to the public and to all commenting agencies on January 8, 2021, which is at least 10 days prior to certification of the Final EIR, in compliance with Public Resources Code Section 21092.5(a).

P. On January 20, 2021, the Agency presented the Final EIR to the Agency's Board of Directors at a duly noticed public meeting, at which time it also invited public input on the Final EIR and the Project.

Q. On January 20, 2021, the Agency's Board of Directors, at a duly noticed public hearing, considered the Final EIR and the Project, at which time Agency staff and consultants presented a report and interested persons had an opportunity to be heard and to present evidence regarding the Final EIR and the Project.

R. On January 20, 2021, the Agency's Board of Directors certified the Watsonville Slough System Managed Aquifer Recharge and Recovery Project Final Environmental Impact Report (SCH No. 2019059130) dated January 20, 2021 (the "Final EIR") and, pursuant to CEQA Section 21081.6 and Sections 15091and 15093of the CEQA Guidelines, adopted Findings, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program (included as Exhibits A, B, and C to Resolution 2021-03). Prior to taking action, the Agency Board of Directors heard, was presented with, reviewed, and considered the information and data in the administrative record, including the Final EIR, the comments on the Draft EIR and Final EIR, responses to comments, staff reports and presentations, and all oral and written testimony presented during the public hearing on the Project.

S. On September 21, 2022, the Agency's Board of Directors authorized staff to proceed with design and bid period services engineering work in support of the Project and on January 18, 2023, the Board of Directors approved an amendment to Environmental Science Associates' (ESA's) existing agreement for environmental support services related to the Project.

T. As a result of design and bid period services engineering work, PV Water is now proposing modifications to the Project. The proposed modifications are described in the Addendum to the Final EIR, attached hereto and incorporated herein by reference. PV Water, as Lead Agency for the Project, has evaluated the potential environmental impacts of these modifications in comparison with impacts analyzed in the certified EIR.

U. CEQA Guidelines Section 15164 requires preparation of an Addendum to the previously certified EIR if some changes or additions are necessary, but none of the conditions described in CEQA Guidelines Section 15162 occurs:

a. There are no substantial changes in the project, which require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

b. There are no substantial changes with respect to the circumstances under which the project is undertaken which require major revisions to the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
c. No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time of EIR certification, shows any of the following;
    i. The project will have one or more significant effects not discussed in the EIR;
    ii. Significant effects previously examined will be substantially more severe than those disclosed in the EIR;
    iii. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects on the environment, but the project proponent declines to adopt it; or
    iv. Mitigation measures or alternatives that are considerably different than those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponent declines to adopt the mitigation measure or alternative.

V. As set forth in the Addendum, the Agency has carefully analyzed the proposed changes to the Project and, based on said analysis, concluded that they do not trigger any of the conditions described above and in CEQA Guidelines Sections 15162 and 15163.

NOW, THEREFORE, BE IT RESOLVED that the Directors of the Pajaro Valley Water Management Agency resolves as follows that:

SECTION 2. As the decision-making body and Lead Agency for the Project, the Board of Directors has reviewed and considered the information contained in the Addendum and supporting documentation. The Board of Directors finds that the Addendum contains a complete and accurate reporting of the environmental impacts associated with the proposed modifications to the Project. The Board of Directors further finds that the Addendum has been completed in compliance with CEQA (California Public Resources Code, Division 13 Environmental Quality, 21000-21189) and the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000-15387). The Board of Directors finds that the Addendum reflects the independent judgment of the Board of Directors.

SECTION 3. Findings on Environmental Impacts. Based on the Addendum and all related information presented to the Board of Directors, the Board of Directors finds that the preparation of a subsequent or supplemental EIR is not required for the minor modifications to the Project described in the Addendum because such modifications:

1. Do not constitute substantial changes to the Project that will require major revisions to the Final EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

2. Do not constitute substantial changes with respect to the circumstances under which the project is undertaken that will require major revisions to the Final EIR due to the involvement of new

significant environmental effects or substantial increase in the severity of a previously identified significant effects;

3. Do not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Final EIR was certified that shows any of the following:

   a. The Proposed Project will have one or more significant effects not discussed in the Final EIR;

   b. Significant effects previously examined will be substantially more severe than those disclosed in the Final EIR;

   c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects on the environment, but the Agency declined to adopt such measures or alternatives; or

   d. Mitigation measures or alternatives considerably different than those analyzed in the Final EIR would substantially reduce one or more significant effects on the environment, but the Agency declines to adopt the mitigation measure or alternative.

SECTION 4. Approval of Addendum. The Board of Directors hereby approves the Addendum.

SECTION 5. Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings are based are located at the Agency office, 36 Brennan Street, Watsonville, California 95076.

SECTION 6. Execution of Resolution. The Chair of the Board of Directors shall sign this Resolution and the Secretary of the Board of Directors shall certify this Resolution was duly and properly adopted by the Board.

PASSED AND ADOPTED by the Pajaro Valley Water Management Agency, County of Santa Cruz, State of California, this **19th** day of **March 2025** by the following vote:

AYES: Bannister, Broz, Culbertson, Newel, Rider
NOES: None
ABSENT: None
ABSTAIN: None

Stephen Rider, Chair

Attest:

Asia Valdivia, Board Secretary